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Attorneys for Plaintiff
 SINCO TECHNOLOGIES PTE LTD

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD,

Plaintiff,

v.

SINCO ELECTRONICS (DONGGUAN) CO.,
 LTD.; XINGKE ELECTRONICS
 (DONGGUAN) CO., LTD.; XINGKE
 ELECTRONICS TECHNOLOGY CO., LTD.;
 SINCOO ELECTRONICS TECHNOLOGY
 CO., LTD.; MUI LIANG TJOA (an
 individual); NG CHER YONG aka CY NG (an
 individual); and LIEW YEW SOON aka
 MARK LIEW (an individual),

Defendants.

Case No. 3:17CV5517

**DECLARATION OF LAEL D.
 ANDARA IN SUPPORT OF
 PLAINTIFF SINCO TECHNOLOGIES
 PTE LTD'S SUPPLEMENTAL BRIEF
 IN SUPPORT OF MOTION IN LIMINE
 NO. 2 TO EXCLUDE EVIDENCE
 PRODUCED AFTER CLOSE OF
 DISCOVERY [436]**

Trial Date: 11/01/2021
 Date Action Filed: 9/22/2017

I, Lael D. Andara, declare:

I am a partner in the law firm of Ropers Majeski PC, Counsel for Plaintiff SINCO
 TECHNOLOGIES PTE LTD. ("SinCo") in this action. I am a member in good standing of the
 California State Bar, New York State Bar, Montana State Bar and the District of Columbia.

I have personal knowledge of the facts stated herein and am familiar with the documents
 referred to below.

1. The parallel, Santa Clara County Superior Court Case No. 16CV301867, was filed
 by SinCo against XINGKE ELECTRONICS TECHNOLOGY CO., LTD.; SINCOO

1 ELECTRONICS TECHNOLOGY CO., LTD (“XingKe”), on October 28, 2016 and designated
 2 Complex (“State Action”).

3 2. In or about March 2021, in the State Action, the parties agreed that **documents**
 4 and deposition testimony of **witnesses** produced in this action may be used in the State action,
 5 and vice versa, subject to the Courts’ fact discovery cut-off and trial related deadlines. The intent
 6 and purpose of the agreement was to limit the time and associated costs, including those
 7 associated with global travel, and expensive discovery. The agreement was never intended to
 8 circumvent deadlines, but as a means to cooperate to minimize cost on the parties. Defendants
 9 XingKe, et al confirmed the agreement in their letter dated **March 30, 2021** letter to the
 10 Honorable James Ware (Ret.), the court appointed Discovery Referee in the State Action.

11 3. Attached hereto as **Exhibit 1** is a true and correct copy of the parties’ Second
 12 Amended Exhibit List filed October 1, 2021 [495].

13 4. Attached hereto as **Exhibit 2** is a true and correct copy of Judge Joseph C. Spero’s
 14 Order Granting in Part and Denying in Part Motion for Sanctions date **September 3, 2019** [252].

15 5. Attached hereto as **Exhibit 3** is a true and correct copy of Defendant XINGKE
 16 Electronics (DONGGUAN) Co’s Response to Request for Document Production Set One, signed
 17 on **March 7, 2019**.

18 6. Attached hereto as **Exhibit 4** is a true and correct copy of the Joint email presented
 19 to the Court on **September 27, 2021**, addressing the dispute as to the scope of deposition
 20 testimony that SINCO could obtain as to Google employees. Google’s counsel stated, “the Court
 21 should not require Ms. Chen also to sit for deposition *long after discovery has closed.*”

22 7. Attached hereto as **Exhibit 5** is a true and correct copy of the email presented to
 23 the Court on **October 1, 2021**, addressing the dispute as to the scope of deposition testimony that
 24 SINCO could obtain as to Google employees.

1 8. My client will be substantially prejudiced by the inherent inequity of permitting
2 Defendants to introduce discovery obtained after the discovery cutoff of **January 9, 2020**, and
3 the Court's denial of Plaintiff's Application to revise the Pretrial Order on **January 10, 2020**
4 [326] on which my client and I reasonably relied and complied with. My client is without ability
5 to cure that prejudice based on our good faith compliance with those Orders.

6
7 Dated: October 8, 2021

Respectfully submitted,

8 ROPERS MAJESKI PC

9
10 By: /s/ Lael D. Andara

11 LAEL D. ANDARA
12 Attorneys for Plaintiff
13 SINCO TECHNOLOGIES PTE LTD
14

EXHIBIT 1

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Attorneys for Defendants XINGKE ELECTRONICS
 (DONGGUAN) CO., LTD., formerly known as
 SINCO ELECTRONICS (DONGGUAN) CO., LTD.,
 LIEW YEW SOON aka, MARK LIEW, NG CHER
 YONG. aka CY NG, and MUI LIANG TJOA aka
 ML TJOA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

vs.

SINCO ELECTRONICS (DONGGUAN) CO.,
 LTD.; XINGKE ELECTRONICS
 (DONGGUAN) CO., LTD.; XINGKE
 ELECTRONICS TECHNOLOGY CO., LTD.;
 SINCOO ELECTRONICS TECHNOLOGY CO.,
 LTD.; MUI LIANG TJOA (an individual); NG
 CHER YONG aka CY NG (an individual); and
 LIEW YEW SOON aka MARK LIEW (an
 individual),

Defendants.

Case No. 3:17-CV-05517-EMC

Action Filed: September 22, 2017

**SECOND AMENDED TRIAL EXHIBIT
 LIST**

Date: October 5, 2021
 Time: 2:30 p.m.
 Place: Courtroom 5, 17th Floor

Judge: Honorable Edward M. Chen

Trial: November 1, 2021

Pursuant to the Court's September 28, 2021 Order (ECF 438), Defendants provide this second amended exhibit list for trial.

Defendants reserve the right to use any additional exhibits for purposes of impeachment. Defendants further reserve the right to provide translated copies of documents or amended translations in response to objections concerning translations or documents with foreign languages.

Dated: October 1, 2021.

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/ Douglas A. Winthrop
DOUGLAS A. WINTHROP

Attorneys for Defendants
XINGKE ELECTRONICS (DONGGUAN)
CO., LTD., formerly known as SINCO
ELECTRONICS (DONGGUAN) CO.,
LTD., LIEW YEW SOON aka, MARK
LIEW, NG CHER YONG. aka CY NG, and
MUI LIANG TJOA aka ML TJOA

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served a copy of the foregoing SECOND AMENDED TRIAL EXHIBIT LIST on October 1, 2021.

/s/ Douglas A. Winthrop
DOUGLAS A. WINTHROP

Attorneys for Defendants
XINGKE ELECTRONICS
(DONGGUAN) CO., LTD., formerly
known as SINCO ELECTRONICS
(DONGGUAN) CO., LTD., LIEW YEOW
SOON aka, MARK LIEW, NG CHER
YONG. aka CY NG, and MUI LIANG
TJOA aka ML TJOA

TRIAL EXHIBIT NO.	BEGINBATES	END BATES	DATE	DESCRIPTION	REASON OFFERED	SPONSORING WITNESS	OBJECTION(S)	RESPONSE(S) TO OBJECTION(S)	SPACE FOR COURT
72	ML20387	ML20390	12/20/2016	Email from Bose to ML Tjoe re KOTL visit to Bose	Customer - Bose	ML Tjoe		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
126	Depo Ex. 281			Deqiang Liu Business Card KOTL	Non-confusion	Deqiang Liu		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
212	SINCO002011764			Humen Engineering Department Org Chart	Employment Status	Cy Ng		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
234	SINCO67555	SINCO67561	11/30/2009	Mark Liew's Performance Appraisals/Review	Employment Status	Mark Liew		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
238	SINCO00042	SINCO00083	Aug - Oct 2016	Mark Liew's Payroll Report	Employment Status	Mark Liew SinCo SG		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
296	NG100858	NG100860	2/28/2018	XingKe Build Schedule Presentation	Independent Customer relationship	Cy Ng		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
304	ML0016076	ML0016101	2/12/2019	S&M Report by Eric Pang	Non-confusion	ML Tjoe		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
367	XK15851		4/30/2011	Debit Note from SinCo SG	Employment Status	Cy Ng Mark Liew		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
385	ML17326	ML17329	6/7/2018	Email from Tjoe re XingKe Capability Update	Customer - Google	ML Tjoe		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
386	ML20299	ML20300	9/1/2018	Email from Tjoe to Google re Support from XingKe	Customer - Google	ML Tjoe		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
395	ML33061	ML3077	5/3/2017	XingKe's Purchase Orders with Google	Customer - Google	ML Tjoe		A duplicate exhibit that Plaintiff removed from its shorted exhibit list on 10/1/2021	
500	SINCO038359	SINCO038370	Various	Debit Notes issued by SinCo SG to SinCo DG	Liew and NG employment	SinCo SG			
501	DEFS_3862372	DEFS_3862379	5/28/2004	Criminal Charges	Impeachment	Judicial Notice	403 609 MIL 26	Defs' Opp. to MIL 2 & 4	
502	DEFS_3862400	DEFS_3862402	5/28/2004	Statement of Facts for Criminal Case	Impeachment	Judicial Notice	403 609 MIL 26	Defs' Opp. to MIL 2 & 4	
503	DEFS_3862381	DEFS_3862382	6/14/2004	Registrar's Certificate of Conviction	Impeachment	Judicial Notice	403 609 MIL 26	Defs' Opp. to MIL 2 & 4	
504	SINCO000872	SINCO000875	5/2/2006	Liew Employment Application	Liew - Employment	Mark Liew CY Ng			
505	DEFS_0182577	DEFS_0182580	7/9/2007	Email from Chung to Chooi, Ng and Yap re SinCo Logo Usage	Naked License	SinCo SG CY Ng	106 0182576-580	Related writing inadmissible per FRE 502	
506	Deposition Exhibit	Deposition Exhibit	12/29/2008	WITHDRAWN - Mark Liew Facebook Post re: Lim Singing Karaoke	Bryan Lim Relationship with XingKe	Mark Liew			
507	SINCO93628	SINCO93633	6/30/2009	Liew Performance Appraisal	Liew - Employment	Mark Liew CY Ng	106 SINCO093627	No objection to related writing	
508	SINCO008472	SINCO008473	10/17/2009	Ng-Liew Email re Factory Business	DG Meeting Minutes re Engineer Team	Mark Liew CY Ng			
509	SINCO002060591	SINCO002060612	10/21/2009	WITHDRAWN - Email from Sim to Lim re SinCo Company Profile	SinCo - Company Materials	SinCo SG			

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510	SINCO001371732	SINCO001371738	1/6/2010	Email from Loo (Swiftronic) to A. Lim re Swiftronic Project	Apple-Swiftronic-SG relationship	SinCo SG	401 403	Apple not SG's direct customer	
511	SINCO001376384	SINCO001376384	2/3/2010	Email from Chye to Teck	Customer - Swiftronic	SinCo SG	401 403	Apple not SG's direct customer	
512	SINCO001828806	SINCO001828808	3/3/2010	Emails between Larry Sim and SinCo Malaysia re Customer Requirements	SinCo-Employee Job Responsibilities	SinCo SG	401 403	Actual "embedded employee"	
513	SINCO001445779	SINCO001445781	4/12/2010	Internal SG email re Swiftronic Visit	Customer - Swiftronic	SinCo SG	401 403	Apple not SG's direct customer	
514	SINCO001094916	SINCO001094918	4/26/2010	Email from Yang to Lim re Camera Trim - Waiver W001487	Customer - Swiftronic/Apple	SinCo SG	401 403	DG dealing directly with SWFT	
515	SINCO000988304	SINCO000988305	6/9/2010	Email from Yang to A. Lim re Apple Unit Price	SG-Swiftronic-Apple relationship	SinCo SG Bryan Lim	401 403	SG as "middleman" for DG and customer	
516	SINCO000988293	SINCO000988293	6/9/2010	Email from Lim to Tracy re Apple Unit Price	Customer - Swiftronic/Apple	SinCo SG Bryan Lim	401 403	SG as "middleman" for DG and customer	
517	SINCO000990498	SINCO000990500	6/18/2010	WITHDRAWN - Email from Lim to Tracy re Apple Unit Price	Customer - Swiftronic/Apple	SinCo SG Bryan Lim	401 403	SG as "middleman" for DG and customer	
518	SINCO001445777	SINCO001445777	6/19/2010	Email from Tan (Swiftronic) to Lim re Customer Visit	Customer - Apple	SinCo SG	401 403	Apple not SG's direct customer	
519	SINCO000991699	SINCO00091701	6/20/2010	Email from Lim to Tracy re Apple Unit Price	Customer - Swiftronic/Apple	SinCo SG Bryan Lim	401 403	SG as "middleman" for DG and customer	
520	SINCO001367492	SINCO001367496	6/24/2010	WITHDRAWN - Email from Teng to Xu re audit	SinCo - Company Materials	SinCo SG	401 802	DG part of SinCo Holdings Group; SG adopted DG's statement. 802(d)(2)(B)	
521	SINCO001404829	SINCO001404830	7/5/2010	WITHDRAWN - Swiftronic Purchase Order	Customer - Swiftronic	SinCo SG	401 802	Party admission; shows SG treating Apple/Swiftronics interchangeably	
522	SINCO001445778	SINCO001445778	9/27/2010	Email from Ng to Lim re Apple GSM Visit POR	Customer - Swiftronic	SinCo SG	401 802	SWFT in charge of Apple account; Admission/SG adopted. 802(d)(2).	
523	SINCO001440050	SINCO001440053	10/14/2010	Swiftronic-SinCo Email re daily pipeline	Customer - Swiftronic	SinCo SG	401 802	Apple not SG's direct customer	
524	SINCO001440649	SINCO001440650	10/18/2010	Swiftronic-SinCo Email re daily pipeline	Customer - Swiftronic	SinCo SG	401 802	Apple not SG's direct customer	
525	SINCO954565	SINCO954566	11/11/2010	Meeting Minutes - Humen Management Meeting on 11 Nov 2010.	DG management records	SinCo SG Bryan Lim	401 802	Lim involved in DG affairs; party admission/SG adopted. 802(d)(2)(B)	
526	SINCO954559	SINCO954564	11/13/2010	Email from Sim to Lim regarding meeting minutes	DG management records	SinCo SG Bryan Lim	106 SINCO945456	No objection to related writing	
527	SINCO153718	SINCO153724	12/18/2010	SinCo-DG Emails re Customer Sample	SG-DG business relationship	Cy Ng Gouki Gao Mark Liew			
528	SINCO000971888	SINCO000971889	1/25/2011	Email from Xu to Lim re Meeting Notes	DG management records	SinCo SG Bryan Lim	106 translation 802	Party does not identify related writing; Translation was provided	
529	SINCO000971944	SINCO000971944	10/6/2011	Email from Lim to Xu re Investment	Bryan Lim's admissions regarding ownership of company	SinCo SG Bryan Lim	403 106	Shows Lim ownership/control of DG	

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530	SINCO30b6DEPO0019	SINCO30b6DEPO0025	1/2/2012	Supply Agreement	SinCo SG and DG business relationship SinCo SG and DG business relationship	SinCo SG Bryan Lim	106	Party does not identify related writing	
531	SINCO857107	SINCO857109	2/27/2012	Emails between Larry Sim and Andrew Lim re Apple transactions	SinCo-Apple Business Relationship	SinCo SG	401 802	Actual "embedded employee"	
532	Mark Liew 000226	Mark Liew 000229	7/25/2012	Sun Art Enterprises Ltd. Record	Bryan Lim Financial Relationship with DG	Bryan Lim	401 403	Lim owns SinCo Group Holdings	
533	SINCO002105474	SINCO002105478	9/11/2012	Emails between Larry Sim and Andrew Lim re Customer Requirements	SinCo-Employee Job Responsibilities	SinCo SG	401 403	Actual "embedded employee"	
534	SINCO002105807	SINCO002105810	9/17/2012	Emails between Larry Sim and Andrew Lim re Customer Requirements	SinCo-Employee Job Responsibilities	SinCo SG	401 403	Actual "embedded employee"	
535	SINCO791215	SINCO791221	10/18/2012	SinCo Electronics (Dongguan) Company Limited - Articles of Association	DG articles of association	SinCo SG Bryan Lim	106 401 403	Lim's access and control over DG	
536	SINCO576193	SINCO576199	10/18/2012	SinCo Electronics (Dongguan) Company Limited - Articles of Incorporation (English)	DG articles of incorporation	SinCo SG Bryan Lim	401 802	Lim control over DG; business record and party admission	
537	SINCO0000225	SINCO000231	10/18/2012	WITHDRAWN - Corporate Records	SinCo DG Articles of Association	SinCo SG Bryan Lim	401 802	Lim control over DG; business record and party admission	
538	DEFS_0000028	DEFS_0000033	10/18/2012	Board of Directors meeting	SinCo DG Board Resolution	SinCo SG Bryan Lim	401 802	Lim control over DG; Party Admission (Lim signed)	
539	SINCO576955	SINCO577011	12/31/2012	WITHDRAWN - SinCo Technologies and its Subsidiaries Annual Financial Statements	SG corporate history and subsidiaries	SinCo SG Bryan Lim	401 802	Ex. 539 withdrawn	
540	DEFS_0018175	DEFS_0018190	5/17/2013	DG-Swiftronic Emails	Customer - Swiftronic	Cy Ng Gouki Gao	401 802	Direct dealings - DG and customer	
541	SINCO000025	SINCO000026	7/6/2013	Ng-Cynthia Chu Emails re Hire of Liew	Liew - Employment	Cy NG			
542	DEFS_0022114	DEFS_0022121	6/12/2013	Swiftronic-Sinco Emails re Apple color matching	Customer - Swiftronic	Cy NG Gouki Gao	401	DG dealing directly with customer	
543	ML0000516	ML0000518	6/17/2013	WITHDRAWN - Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Intel pre-existing DG customer	
544	DEFS_0182719	DEFS_0182721	6/17/2013	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Intel pre-existing DG customer	
545	ML0000519	ML0000522	6/24/2013	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Intel pre-existing DG customer	
546	DEFS_0182800	DEFS_0182801	6/26/2013	Intel Purchase Order to DG	Customer - Intel	Cy Ng	106 401 403	Intel pre-existing DG customer	
547	SINCO000971998	SINCO000971999	10/17/2013	Email re: China vs. Singapore Sinco Companies	Customer - Intel	SinCo SG Bryan Lim	106	No objection to related writing (Ex. 54).	
548	DEFS_0182734	DEFS_0182737	11/6/2013	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Intel pre-existing DG customer	
549	XK24869	XK24872	9/4/2014	The DG-SinCoo Lease	Provisional - If Defs' MIL No. 3 denied	Mark Liew Cy NG	106 include file name.	Only if Defs' MIL 3 is denied	

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550	SINCO860057	SINCO860057	2/28/2014	Email from Low to Sim re Amazon Social Audit	Customer - Amazon	SinCo SG	106 missing attachment SINCO860058-094	No objection to related writing	
551	DEFS_0182751	DEFS_0182752	3/8/2014	Intel Purchase Order to DG	Customer - Intel	Cy Ng	106 401 403	Intel pre-existing DG customer	
552	DEFS_0182832	DEFS_0182834	5/1/2014	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Intel pre-existing DG customer	
553	SINCO672746	SINCO672747	7/9/2016	SG-DG Emails	SG-DG business relationship	Minh Nguyen Sinco SG			
554	SINCO000342	SINCO000456	5/20/2014	DG-Swiftronic Emails	Customer - Swiftronic	Mark Liew	106 401 403	Pre-existing DG/SWFT relationship	
555	NG0002074	NG0002074	5/26/2014	Chee's Introduction to Xu (China)	Jon Chee role at SG and DG	Jon Chee			
556	SINCO000972011	SINCO000972013	6/11/2014	Email from Lim to Gao and Xu re Apple order	Customer - Apple	SinCo SG Bryan Lim			
557	SINCO000972009	SINCO000972009	6/5/2014	WITHDRAWN - Email from Lim to Gao and Xu re Apple Project	SG-Apple relationship	SinCo SG Bryan Lim	106	No related writing identified	
558	SINCO000972015	SINCO000972015	7/16/2014	Email from Lim to Xu re Dividend	Lim's financial relationship with Xu	SinCo SG Bryan Lim	106 403 401	No related writing identified; Lim profits off DG	
559	SINCO001446245	SINCO001446247	9/21/2016	Swiftronic / SinCo Technologies Confidentiality Agreement (Mutual)	SG-Swiftronic-Apple relationship	Jon Chee	106	No related writing identified	
560	SINCO001446240	SINCO001446244	9/21/2016	Apple-Swiftronic Agreement	Customer - Apple	Jon Chee	106	No related writing identified	
561	SINCO001446239	SINCO001446244	9/21/2016	Swiftronic-Apple Master Restricted Project Agreement	Customer - Apple	Jon Chee	SINCO001446238-247	No objection to related writing	
562	DEFS_0182842	DEFS_0182844	11/25/2014	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Pre-existing DG and Intel relationship	
563	DEFS_0182914	DEFS_0182918	1/20/2015	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Pre-existing DG and Intel relationship	
564	SINCO320883	SINCO320886	12/5/2014	Email from Ng to Lim re calls	Customer - Apple	Cy NG			
565	SINCO321436	SINCO321439	12/15/2014	Sinco factory PM/engineer	SinCo SG and DG business	Jon Chee			
566	DEFS_0183300	DEFS_0183306	3/9/2015	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Pre-existing DG and Intel relationship	
567	DEFS_0183240	DEFS_01833244	3/13/2015	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Pre-existing DG and Intel relationship	
568	SINCO001910264	SINCO001910298	Year 2015	SinCo CSR Meeting - Motorola 2015	SG-Motorola relationship	SinCo SG	106 SINCO01370597-634	No objection to related writing	
569	DEFS_0182731	DEFS_0182733	4/17/2015	Intel Purchase Order to DG	Customer - Intel	Cy Ng	106 401 403	Pre-existing DG and Intel relationship	
570	DEFS_0183336	DEFS_0183339	3/8/2015	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	106 401 403	Pre-existing DG and Intel relationship	
571	SINCO000972026	SINCO000972026	6/17/2015	Email from Xu to Lim re Invitation (to visit)	Bryan Lim financial interest in Sinco DG	Bryan Lim Jon Chee	106 SINCO0972025-26	No objection to related writing	
572	SINCO000972024	SINCO000972024	42180	Email from Xu to Lim re Invitation (to visit)	Bryan Lim financial interest in Sinco DG	Bryan Lim Jon Chee	106 SINCO0972023-24	No objection to related writing	
573	SINCO002045222	SINCO002045223	7/2/2015	SinCo Email re Factory Visit	Customer - Bose	Cy NG	attachment	See Ex. 575	
574	SINCO902606	SINCO902607	Year 2015	Leave record - Alan Quek	Alan Quek - Employment	Cy NG			

DEFENDANTS' EXHIBIT LIST
Combined List

TRIAL EXHIBIT NO.	BEGINBATES	END BATES	DATE	DESCRIPTION	REASON OFFERED	SPONSORING WITNESS	OBJECTION(S)	RESPONSE(S) TO OBJECTION(S)	SPACE FOR COURT
575	SINCO002045224	SINCO002045224	5/8/2015	SinCo Tour Agenda	Customer - Bose	Cy NG	106 out of context	Does not explain how out of context. Underlying email being introduced as exhibit.	
576	SINCO001821878	SINCO001821881	8/25/2015	Email from Chee to Xu re Meeting at Humen	Sale of DG	Jon Chee			
577	SINCO001863136	SINCO001863137	9/17/2015	Xu-Chee Email re DG acquisition; Xu-Lim Emails re Negotiation	Sale of DG	SinCo SG Jon Chee	106 SINCO001863 131-42	No objection to related writing	
578	SINCO001863139	SINCO001863140	9/28/2015	Xu-Lim-Chee-Yap Emails re sale of DG and related due diligence	Sale of DG	SinCo SG Jon Chee	106 SINCO001863 131-42	No objection to related writing	
579	SINCO001865443	SINCO001865443	10/30/2015	Email from Xu to Lim re Bonus & Interest	Lim financial relationship with Xu	SinCo SG Bryan Lim	401 403 106 SINCO001865442-43	No objection to related writing; relevant to show Lim profits of Xu/DG	
580	SINCO001943769	SINCO001943771	11/19/2015	Email from Lim to Shugong (SinCo) re Cooperation	Sale of DG	Bryan Lim Jon Chee	401 403 802	Relevant to show Xu's terms and conditions of sale; non-hearsay due to legal operative facts, state of mind, effect on listener and party admission/adoption (Lim received consideration from deal)	
581	SINCO001821988	SINCO001821994	11/23/2015	Email from Xu to Lim re Jinlong Acquisition	Sale of DG	Bryan Lim Jon Chee	802	Relevant to show Xu's terms and conditions of sale; non-hearsay due to legal operative facts, state of mind, effect on listener and party admission/adoption (Lim received consideration from deal)	
582	Deposition Exhibit	Deposition Exhibit	12/10/2015	Ng-Chee visits Sinco-Bose Agenda	Customer - Bose	Jon Chee			
583	SINCO001446227	SINCO001446231	10/9/2016	SinCo Group - Sales Revenue	SG customers	SinCo SG Jon Chee			
584	SINCO945232	SINCO945232	5/9/2016	Zhuohai Chi Cheng's Customers	SinCo-DG Business Relationship	Minh Nguyen	401 403 106 SINCO00945229-261	Relevant to show Chi Cheng -- not SG -- was Apple's vendor. No objection to related writing.	
585	SINCO742596	SINCO742596	1/6/2016	Email from Swiftronic to SinCo re Tool Quote	Customer - Swiftronic	SinCo SG	401 403	SWFT -- not SG -- was Apple's direct customer	
586	SINCO001468146	SINCO001468149	1/15/2016	Email from Chung to Looi (Intel) re Sinco RFQ	Customer - Intel	SinCo SG			
587	SINCO001468271	SINCO001468271	1/19/2016	Meeting Minutes - Intel Visit to SCM	Customer - Intel	Jon Chee	401 403 106 SINCO001468 270-271	SG and DG competing for Intel; no objection to identified related writing being introduced	
588	SINCO001468269	SINCO001468270	1/19/2016	Email from Eu to Chee re Intel Meeting Minutes	Customer - Intel	Jon Chee	401 403 106 SINCO001468270- 271	No objection to related writing. Relevant to show Chee's admission and that SG and DG compete for Intel	

TRIAL EXHIBIT NO.	BEGINBATES	END BATES	DATE	DESCRIPTION	REASON OFFERED	SPONSORING WITNESS	OBJECTION(S)	RESPONSE(S) TO OBJECTION(S)	SPACE FOR COURT
589	SINCO001468324	SINCO001468326	1/20/2016	Email from Intel to Jon Chee re Manufacturing	Customer - Intel	Jon Chee	401 403 duplicate	Duplicate not identified. Relevant to show SG and DG competing for Intel	
590	SINCO001468493	SINCO001468495	1/21/2016	Email from Richer to Ng re Sinco Supplier Selection	Customer - Intel	Jon Chee Deqiang Liu			
591	SINCO001468433	SINCO001468435	1/21/2016	Email from Eu to Looi (Intel) re and Mechanical Supplier Selection	Customer - Intel	Jon Chee	401 403	Intel's pre-existing relationship with DG; impeachment	
592	SINCO001468422	SINCO001468423	1/21/2016	Email from Richer to Ng re Sinco Supplier Selection	Customer - Intel	Jon Chee	401 403	Intel's pre-existing relationship with DG	
593	SINCO001468398	SINCO001468399	1/21/2016	Email from Richter to Chee re and Mechanical Supplier Selection	Customer - Intel	Jon Chee	401 403	Intel's pre-existing relationship with DG; impeachment	
594	SINCO001468533	SINCO001468538	1/22/2016	Email from Khouri (Intel) to Chee	Customer - Intel	Jon Chee	401 403	Intel aware that DG and SG were separate entities and competing for customers	
595	SINCO001850151	SINCO001850153	1/26/2016	Email from Lim to Chavarri re CAP	Customer - Amazon	SinCo SG	401 403 106 SINCO002166 696-698	The remainder of the writing does not correct a misleading impression. Also, details why DG failed audit is unfairly prejudicial. FRE 403.	
596	DEFS_0183836	DEFS_0183850	2/4/2016	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	401 403	Pre-existing DG and Intel relationship	
597	SINCO001474287	SINCO001474288	2/15/2016	Email from Eu to Khouri (Intel) re Awaiting your feedback on the following	Customer - Intel	Jon Chee	401 403 106 SINCO001474 285-288	SG and DG competing for Intel; no objection to identified related writing being introduced	
598	SINCO937864	SINCO937864	1/17/2016	Email from Ng to Nguyen re Conference Call	Customer - Motorola	Minh Nguyen			
599	SINCO001475230	SINCO001475232	2/18/2016	Email from Knox (Intel) to Eu re SinCo Technologies - Account Opening	Customer - Intel	Jon Chee	401 403	Intel originally DG's customer	
600	SINCO001476871	SINCO001476871	2/26/2016	Email from Knox (Intel) to Chee re Official Report	Customer - Intel	Jon Chee	401 403	Intel originally DG's customer	
601	SINCO937015	SINCO937015	2/29/2016	Email from Nguyen to Schlicksup (Motorola) re Dinner with Jon Chee	Customer - Motorola	Minh Nguyen			
602	Deposition Exhibit	Deposition Exhibit	3/22/2016	Google-SinCo Emails	Customer - Google	Minh Nguyen			
603	SINCO001478706	SINCO001478708	3/5/2016	Email from Richter (Intel) to Eu re SinCo Technologies - Account Opening	Customer - Intel	SinCo SG	401 403	Intel originally DG's customer	
604	SINCO001876889	SINCO001876891	3/18/2016	Internal Email re Lenovo's structure	Customer - Lenovo	Jon Chee	401 403	Knowledge of change of customer	
605	DEFS_0183861	DEFS_0183876	3/18/2016	Intel Purchase Order to DG	Customer - Intel	Cy NG Mark Liew	401 403	Intel originally DG's customer	
606	DEFS_0183879	DEFS_0183894	3/24/2016	Intel Purchase Order to DG	Customer - Intel	Cy Ng Mark Liew	401 403	Intel originally DG's customer	
607	XK26577	XK26579	3/29/2016	Verizon Purchase Order No. 8500382037	Verizon-DG relationship	Cy Ng			

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608	SINCO610442	SINCO610443	3/29/2016	Email from Amzaon to L. Sim re Amazon Social Responsibility	Customer - Amazon	SinCo SG	401 403	Show Customer's Audit and timeline	
609	SINCO941671	SINCO941788	3/30/2016	Nguyen email attaching SinCo Porfolio to customer and attachment	SinCo's representations to customers	Minh Nguyen SinCo SG			
610	DEFS_0184017	DEFS_0184018	4/8/2016	Records re: Hong Kong / San Jose, CA Company	Customer - Verizon	Cy Ng Mark Liew			
611	DEFS_0182714	DEFS_0182714	4/14/2016	Records re: Black Diamond, WA	DG sales to US Customer	Cy Ng Mark Liew	106 401 403	Circumstantial evidence of oral license	
612	SINCO001877865	SINCO001877871	4/20/2016	Email from M. Nguyen re Private and Confidential	SinCo - Customer Acquisition	Minh Nguyen			
613	SINCO944222	SINCO944340	4/20/2016	Minh Nguyen's email regarding SinCo Company overview brochure	SinCo - Company Materials	Minh Nguyen SinCo SG	Redundant to Exh. 525	Ex. 525 is a different exhibit	
614	SINCO945226	SINCO945226	5/8/2016	Email from Chin to Chee re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee	401 403	SG admissions in prospectus are relevant to causation	
615	SINCO945229	SINCO945231	5/9/2016	Email from Wee to Nguyen re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Minh Nguyen	401 403	SG admissions in prospectus are relevant to causation	
616	SINCO001865308	SINCO001865311	5/9/2016	Email from Chin to Chuen re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee	401 403	SG admissions in prospectus are relevant to causation	
617	SINCO001865296	SINCO001865298	5/9/2016	Email from Chua to Wee re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Minh Nguyen	401 403	SG admissions in prospectus are relevant to causation	
618	SINCO001865272	SINCO001865278	5/11/2016	Email from Nguyen to Chua re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Minh Nguyen	401 403	SG admissions in prospectus are relevant to causation	
619	SINCO001865377	SINCO001865382	5/12/2016	Email from Chua to Nguyen re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Minh Nguyen	401 403	SG admissions in prospectus are relevant to causation	
620	SINCO001865344	SINCO001865348	5/12/2016	Email from Chua to Cheun re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Minh Nguyen Jon Chee	401 403	SG admissions in prospectus are relevant to causation	
621	SINCO001865271	SINCO001865280	5/11/2016	SG communications concerning Acquisition Prospectus re Zhuhai CC	SinCo - Customer Acquisition	Minh Nguyen Jon Chee	401 403	SG admissions in prospectus are relevant to causation	
622	SINCO945389	SINCO945427	5/13/2016	Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee Minh Nguyen	401 403	SG admissions in prospectus are relevant to causation	
623	SINCO945383	SINCO945388	5/13/2016	Email re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee	redundant	SG admissions in prospectus are relevant to causation	
624	SINCO001865428	SINCO001865433	5/13/2016	Email from Chee to Chua re Zhuhai Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee	401 403 106 (Part 1)	SG admissions in prospectus are relevant to causation	
625	SINCO945476	SINCO945518	5/19/2016	Acquisition Prospectus	SinCo - Customer Acquisition	Jon Chee Minh Nguyen	401 403 106 (Part 2a)	SG admissions in prospectus are relevant to causation	
626	SINCO945470	SINCO945475	5/19/2016	Email from Chua to Cheun re Acquisition Prospectus (Top Secret) Zhuhai CC	SinCo - Customer Acquisition	Jon Chee Minh Nguyen	Redundant 401 403 106 (Part 2b)	SG admissions in prospectus are relevant to causation	
627	SINCO001878619	SINCO001878619	5/21/2016	Email from Nguyen to Lim re SinCo Singapore	Customer - Google	Minh Nguyen			
628	DEFS_0002160	DEFS_0002162	5/23/2016	Verizon Purchase Order No. 8500389813	Verizon-DG relationship	Cy Ng Mark Liew			
629	SINCO945534	SINCO945534	5/23/2016	Email from Cheryl EU to M. Nguyen re [Google] Brief Meeting Summary	Customer - Google	Minh Nguyen	106 SINCO945534-39	No objections to related writing	
630	SINCO945536	SINCO945537	5/24/2016	Email from Chuen to Eu re Silicone Ring Part	Google-DG-SG relationship and timeline	Minh Nguyen	106 SINCO945534-39	No objections to related writing	

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631	SINCO001878919	SINCO001878919	5/31/2016	Email from Lim to Nguyen re Motorola	SG-Motorola relationship	Minh Nguyen	401 403	Motorola went through ZCC, not SG	
632	DEFS_0007105	DEFS_0007111	6/21/2016	Change to Purchase Order No. 8500392880 Verizon and SinCo	Verizon-DG relationship	Cy Ng Mark Liew			
633	SINCO001878851	SINCO001878852	5/21/2016	Lim-Nguyen Email re SinCo Singapore	Customer - Google	Minh Nguyen	402 403	Reveals Lim knew the appropriate POCs at Plaintiff's company and was never confused when Lim later intentionally chose to contract with Defendants instead.	
634	SINCO001846048	SINCO001846053	6/23/2016	Email from Low to Lim re Amazon Visit	SinCo-DG Business Relationship	SinCo SG			
635	SINCO001846016	SINCO001846022	6/23/2016	Email from Low to Liu re Amazon Visit	SinCo-DG Business	SinCo SG			
636	ML18342 / DEFS_2047758	ML18342 / DEFS_2047758	6/24/2016	Google's A. Lim emails ML Tjoa regarding a project	Customer - Google	ML Tjoa	401 106 Missing Attachment ML17306-08	Google dealing directly with KOTL; agree to include attachment to email (ML18343-44).	
637	Deposition Exhibit	Deposition Exhibit	6/24/2016	Tjoa-Google Emails re Drawings	Customer - Google	ML Tjoa			
638	SINCO001875784	SINCO001875784	6/27/2016	Email from Nguyen from Chee re Customers	SG Customers	Jon Chee			
639	SINCO001446633	SINCO001446633	7/4/2016	Email from Chua to Chee re and Past 3 Years Apple Orders	SG customers	Jon Chee	401	SG treating SWFT/Apple interchangeably	
640	SINCO672746	SINCO672747	7/9/2016	Google-SinCo Emails re	Customer - Google	Mark Liew Cy NG			
641	SINCO001879160	SINCO001879162	7/13/2016	Emails between Chee to Nguyen re ZCC Status and Motorola News	Customer - Motorola	Jon Chee	401 403	Alternative explanation for decreased sales unrelated to allegations	
642	SINCO743022	SINCO743028	7/14/2016	SinCo Internal Emails re Capabilities	Customer - Google	Minh Nguyen			
643	SINCO001845546	SINCO001845550	7/26/2016	WITHDRAWN - Email from Chavarri to Zhang re CSR	Customer - Amazon	SinCo SG	401 403	Defendants withdraw Ex. 643	
644	SINCO945758	SINCO945764	7/28/2016	Email - Minh Nguyen and Google re	Customer - Google	Minh Nguyen	401 106 Attachment Missing	SG and DG competing separately for Google; no objection to remainder of writings	
645	SINCO945739	SINCO945741	7/29/2016	SinCo Quote for Project	Customer - Google	Minh Nguyen	401 106 Attachment Missing SINCO0947 42-	Timeine for project; no objection to remainder of writing	
646	SINCO001878944	SINCO001878944	7/29/2016	Emails between Apple and Sinco	Customer - Apple	Minh Nguyen	106 Attachment Missing 944-949	No objections to remainder of writing	
647	SINCO001878949	SINCO001878949	7/29/2016	Emails between Apple and Sinco	Customer - Apple	Minh Nguyen	106 Attachment Missing 944-949	No objections to remainder of writing	

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648	SINCO001878944	SINCO001878944	7/29/2016	WITHDRAWN - Email from Maura (Apple) to Nguyen re Introducing SinCo	Customer - Apple	Minh Nguyen	106 Attachment Missing 944-949	Defendants withdraw Ex. 648	
649	SINCO945557	SINCO945558	7/30/2016	Email from Chee to Nguyen re Introducing SinCo	Customer - Apple	Minh Nguyen			
650	SINCO001878941	SINCO001878942	7/29/2016	Email from Chee to Nguyen re Introducing SinCo	Customer - Apple	Minh Nguyen	106 Attachment Missing	Defendant agrees to include SINCO001878943-49 (the attachments).	
651	SINCO935566	SINCO935577	8/1/2016	Email from Nguyen to Yen re [REDACTED] project	Google-DG-SG relationship and timeline	Minh Nguyen	401 403	Timeline; non-infringement explanation why SG lost client	
652	SINCO001875624	SINCO001875625	8/1/2016	Email from Maura to Nguyen re Introducing SinCo	Customer - Apple	Minh Nguyen			
653	SINCO935021	SINCO935034	8/5/2016	Email from Lim to Nguyen re [REDACTED] project	Google-SinCo relationship	Minh Nguyen	401 403	Timeline; non-infringement explanation why SG lost client	
654	SINCO001845455	SINCO001845456	8/5/2016	Email from Low to Sime re Amazon Social	Customer - Amazon	SinCo SG	401 403	Timeline of audit	
655	SINCO934946	SINCO934958	8/6/2016	Email from Eu to Lim re [REDACTED] project	Customer - Google	Minh Nguyen	401 403	Timeline; non-infringement explanation why SG lost client	
656	SINCO934574	SINCO934588	8/8/2016	Email from Boilard to Nguyen re [REDACTED] project	Customer - Google	Minh Nguyen	401 403	Timeline; non-infringement explanation why SG lost client	
657	SINCO001875440	SINCO001875442	8/8/2016	Email from W. Rochowicz (Apple) to M. Nguyen re Introducing SinCo	Customer - Apple	Minh Nguyen	401 106 Attachment Missing	Timeline; non-infringement explanation why SG lost client; Defendants agree to include attachments once Plaintiff identifies these by Bates.	
658	SINCO934351	SINCO934363	8/9/2016	Email from Nguyen to Eu re [REDACTED] project	Customer - Google	Minh Nguyen	401 403	Timeline; non-infringement explanation why SG lost client	
659	SINCO001875258	SINCO001875258	8/10/2016	Nguyen email re [REDACTED]	Apple-SG relationship	Minh Nguyen	106 403	Admission Apple was never direct client	
660	SINCO933972	SINCO933972	8/11/2016	Email from Lim to Eu re [REDACTED] Pricing	Google-SinCo relationship	Minhn Nguyen	106 403	Timeline; non-infringement explanation why SG lost client	
661	SINCO001845369	SINCO001845374	8/15/2016	WITHDRAWN - Email from Zhang to Neo re CSR	Customer - Amazon	SinCo SG	403	Defendants withdraw Ex. 661	
662	SINCO001845329	SINCO001845334	8/15/2016	Email from Low to Amazon/Lab 126 re Amazon Visit	SinCo-DG Business Relationship	SinCo SG			
663	SINCO001845296	SINCO001845297	8/15/2016	Emails from Chee re Acquisition Prospectus	SG revenue and capabilities	Jon Chee	106 401	SG lost customers for non-infringement reason as revealed in attachment	
664	SINCO001885971	SINCO001885981	8/16/2016	Lim's Letter to SinCo DG re Board Meeting	SinCo SG and DG business communications	ML Tjoa Bryan Lim Jon Chee			
665	SINCO001831742	SINCO001831748	9/9/2016	Email attaching Lim's Letter to SinCo DG re Board Meeting	SinCo SG and DG business communications	ML Tjoa Bryan Lim Jon Chee	106 Attachment Missing	Attachments do not correct any misleading impression and alternatively inadmissible under FRE 403.	
666	ML18417 / DEFS_2336233	ML18418 / DEFS_2336234	8/20/2016	Tjoa-Lim Email re SinCo Dongguan	Customer - Google	ML Tjoa			

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667	SINCO926221	SINCO926221	8/22/2016	Email from Eu to Nguyen re [REDACTED] Project	SG's capabilities	Minh Nguyen	401 106 Attachment Missing 222- 228	SG loss of project unrelated to TM infringement; no objection to attachment being admitted into evidence	
668	SINCO925687	SINCO925687	8/24/2016	Eu-Nguyen Email re Google	Customer - Google	Minh Nguyen	403	Goes directly to show extrinsic evidence of terms of oral agreement and lack of customer confusion by the key customer at issue in the case. Highly probative and relevant to central issues in case; no "unfair" prejudice.	
669	SINCO925644	SINCO925646	8/25/2016	WITHDRAWN - Chee-Nguyen Email re Google	Customer - Google	Jon Chee Minh Nguyen			
670	SINCO925640	SINCO925642	8/25/2016	Chee-Nguyen Email re Google	Customer - Google	Jon Chee Minh Nguyen	401 403	Goes directly to show extrinsic evidence of terms of oral agreement and lack of customer confusion by the key customer at issue in the case. Highly probative and relevant to central issues in case; no "unfair" prejudice.	
671	SINCO001874338	SINCO001874341	8/26/2016	Email between Low to Nguyen re SinCo Meeting	Customer - Amazon	Jon Chee Minh Nguyen	401 403	Non-infringement reason why SG lost customer	
672	SINCO001844301	SINCO001844302	9/7/2016	WITHDRAWN - Email from Chavarri to Low re Amazon Social Responsibility Audit	Customer - Amazon	SinCo SG	403	Non-infringement reason why SG lost customer	
673	SINCO001005967	SINCO001005967	9/7/2016	Email from Chee to Lim re Market News	SinCo SG's future business plans	Jon Chee	403 106 Attachment Missing	No objection to attachment coming into evidence. Relevant to show SG's sophistication and awareness of what its "competitors" were doing, including DG.	
674	SINCO000973041	SINCO000973042	9/20/2016	Litigation document between Swiftronic and Sinco	Swiftronic-Sinco SG business relationship	Bryan Lim Jon Chee	106 401 403 Pleading unsigned draft	Explains SG's decreasing sales with SWFT unrelated to TM infringement	
675	SINCO917510	SINCO917516	9/21/2016	Email from Chee to Nguyen re SinCo Dongguan	DG management records	Jon Chee	106 403	No objections to attachment (SINCO917517) coming into evidence. Admissions by SG that it was aware DG sold to KOTL.	
676	SINCO001843836	SINCO001843838	9/22/2016	Email from Low to Sim re Amazon Audit	Customer - Amazon	SinCo SG	403	Probative to central issue in case - customer was not confused or stolen; rather, customer disqualified both SG and DG, explaining lost sales.	
677	SINCO000973150	SINCO000973172	9/23/2016	Litigation document between Swiftronic and Sinco	Swiftronic-Sinco SG business relationship	Bryan Lim Jon Chee	401 106- The Exhibit is Redacted	Plaintiff redacted document before disclosure; relevant to show SWFT's bias against SG and explains why it chose to work with DG instead	
678	ML20288	ML20289	9/23/2016	Lim-Ng Email	Customer - Google	ML Tjoa	401 403	Google dealing directly with DG	

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679	SINCO001843767	SINCO001843767	9/26/2016	Email from Low to Chee and Lim re Amazon CSR Audit	Customer - Amazon	Jon Chee			
680	SINCO001843684	SINCO001843686	9/26/2016	WITHDRAWN - Email from Low to Liu re Amazon CSR Audit	Customer - Amazon	SinCo SG			
681	SINCO001843663	SINCO001843664	9/27/2016	Email from Low to Chee re Postponing of Amazon CSR audit	Customer - Amazon	SinCo SG			
682	SINCO001843635	SINCO001843637	9/28/2016	Email from Chee to Low re Amazon CSR Audit	SG-Amazon relationship	Jon Chee	106 401 403	Explains non-infringement reason why SG lost customer	
683	SINCO001843525	SINCO001843527	10/6/2016	Memorandum to SinCo Technologies Pte Ltd. Clients	SinCo - Company Materials	Jon Chee	106 401 403 (Part 3b)	Highly probative - reveals Amazon knew SG/DG separate entities and SG told the same to all its customers	
684	SINCO001843524	SINCO001843524	10/6/2016	Email from Chee to Amazon re Memorandum	Customer - Amazon	Jon Chee	106 (Part 3a) 401 403	Reveals Ex. 683 was sent on Oct. 6, 2016	
685	SINCO001446228	SINCO001446228	10/9/2016	Email from Lim to Chee re Apple Information	SG customers	Jon Chee	106 SinCo SINCO001446 228-232	No objections to identified writing coming into evidence	
686	DEFS_0010574	DEFS_0010579	10/15/2016	Verizon Purchase Order No. GA1610077A	Customer - Verizon	Mark Liew Cy NG	401 403 106 DEFS_	Pre-existing relationship with DG. Related writing not identified.	
687	SINCO327745	SINCO327745	10/19/2016	Email from Ng to Chee re Bose	Customer - Bose	Jon Chee			
688	DEFS_0130930	DEFS_0130973	10/20/2016	Google-DG MSA (Master Purchase Agreement)	Customer - Google	Cy NG Mark Liew ML Tjoa			
689	SINCO001872647	SINCO001872647	10/21/2016	Email from Nguyen to Chee re Potential Possibility in Zhuhai	SinCo-DG Business Relationship	Jon Chee	Duplicative 401 106	Explains lost sales	
690	SINCO001491891	SINCO001491894	10/21/2016	Clarification of SinCo Structure	SG and DG Agreement regarding license	Bryan Lim SinCo SG			
691	SINCO001872630	SINCO001872631	10/22/2016	Email from Chee to Nguyen re Potential Possibility in Zhuhai	SinCo-DG Business Relationship	Jon Chee			
692	SINCO915451	SINCO915452	10/25/2016	Eu-SG Personnel Email re Google project	Customer - Google	Minh Nguyen			
693	SINCO001843233	SINCO001843233	10/26/2016	Sales Revenue Amazon/Kyocera/Mobility	SG Customer Revenue	Jon Chee	106 (Part 4b)	Inconsistent sales info	
694	SINCO001843232	SINCO001843232	10/26/2016	Email fom EU to Chee re SinCo Sales	SG Customer Revenue	Jon Chee	106 (Part 4a)	Inconsistent sales info	
695	DEFS_2369917	DEFS_2369920	1/5/2017	Email between DG sales and Desmond Chin	SinCo SG and DG business communications	SinCo SG			
696	SINCO915080	SINCO915081	11/10/2016	Email from Nguyen to Chee re Bose Message	Bose-SG relationship	Jon Chee Minh Nguyen	106 403	Reason why Bose chose DG over SG unrelated to TM infringement	
697	DEFS_2369905	DEFS_2369906	11/22/2016	Email from Nancy Wenlan Chen to Desmond Chin	SinCo SG and DG business communications	SinCo SG	26 MIL 106 401 403 802	Defs' Opp. to No. 2; adoption.	
698	DEFS_2369917	DEFS_2369920	12/3/2016	Letter to Customers Providing Company Information	DG Company Information	SinCo SG ML Tjoa Cy NG Mark Liew	SinCo See Exhibit 52	Ex. 52 is an MSA with Google.	

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699	NG0002155	NG0002155	12/8/2016	Email from Gao to Ng forwarding email from Yap	DG-SG relationship	Cy NG	Incomplete 401 See Exhs. 219 and 500 duplicative	Relevant to show control of employees. Not duplicative of Debit Notes	
700	SINCO001445776	SINCO001445776	12/9/2016	Email from Lim to Chee re Apple Visit	Customer - Apple	Jon Chee	106 attachments missing 777-781	Agree to include attachments.	
701	DEFS_0014755 / NG0002074	DEFS_0014755 / NG0002074	12/9/2016	Email from Gby to Ng re Introduction	Chee-Xu communications re Chee's Role	Jon Chee			
702	SINCO000972477	SINCO000972477	12/10/2016	Email from Chee to Bose re Memorandum of Updates in SinCo Technologies	Customer - Bose	Jon Chee	106 (Part 5a)	Remainder of writing not identified. Attachment is Ex. 71, which Defendants reserve the right to admit as this was removed as a duplicate. See JM - Defs' Obj. (d).	
703	DEFS_0010581	DEFS_0010582	12/10/2016	KOTL Company Overview - Jinlong Machinery & Electronics to Bose	Customer - Bose	ML Tjoa Cy NG	106 (Part 6a)	Remainder of writing not identified. Attachment is DEFS_0010582.	
704	SINCO0970429	SINCO0970430	12/17/2016	Email from Tjoa to Ng re KOTL visit to Bose	Customer - Bose	Cy Ng ML Tjoa			
705	SINCO038443	SINCO038443	12/31/2016	SinCo Group Sales by Customer Group	SG customers	Sinco SG			
706	SINCO574671	SINCO574671	Year 2017	Mark Liew Resignation Letter	Notice of Mark Liew's resignation	Mark Liew			
707	NG98490	NG98491	1/25/2017	Certificate of Change of Name - XingKe (Hong Kong)	DG Name Change	ML Tjoa Cy NG Mark Liew	106 Translation?	Exhibit contains English translation	
708	SINCO0970447	SINCO0970456	2/10/2017	Email from Parma to Ng re [REDACTED] Project for Bose	Customer - Bose	Cy Ng ML Tjoa	802	Non-hearsay: customer state of mind and knowledge that it was dealing with KOTL; email subject says "KOTL"; non-confusion	
709	SINCO002177006	SINCO002177008	2/20/2017	Email from G. Ng and L. Sim re Nespresso Program	Nespresso-SG Business relationship	Sinco SG		Exh. 709 and 710 are different.	
710	SINCO002176411	SINCO002176413	2/22/2017	Email from L. Sim to G. Ng re Nespresso "Responsible Sourcing Audit" program - support needed	Nespresso-SG Business relationship	Sinco SG	redundant to Exh. 709	This exhibit contains a different response than Exh. 709. FRE 403's standard is "needlessly" cumulative.	
711	SINCO328785	SINCO328788	2/23/2017	Amazon Email re CSR Audit	Customer - Amazon	Cy Ng			
712	SINCO002047073	SINCO002047075	2/24/2017	Email from Ng to Chavarri regarding Amazon Tool Transfer	Customer - Amazon	Cy Ng Minh Nguyen			
713	SINCO000972465	SINCO000972467	3/8/2017	Email from A. Low to R. Chavarri re Amazon SR Audit & Training Notification (CN+EN) -	Customer - Amazon	Sinco SG			
714	SINCO672837	SINCO672839	3/10/2017	Sinco Electronics DG Notice re XingKe Electronics	DG-SG communications	Sinco SG			
715	SINCO000667	SINCO000668	3/16/2017	Mark Liew's Response to Warning	Notice of Mark Liew's resignation	Mark Liew	106 SINCO00667-669 802	No objections to remainder of writing	
716	SINCO000668	SINCO000669	3/16/2017	Photo of SinCo Sign Logo on Building	Use of SinCo Mark	Mark Liew Cy NG	106 SINCO00667-669 802	No objections to remainder of writing	

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717	SINCO000980265	SINCO000980279	4/3/2017	Swiftronic-Sinco SG Agreement	Customer - Swiftronic	Bryan Lim Jon Chee	401 403 408 802 106	Limited purpose to show falling out between SG and SWFT. FRE 408(b) exception for bias (SWFT against SG and decision to switch suppliers), a non-infringement explanation for decreased sales.	
718	SINCO000972019	SINCO000972019	4/28/2017	Lim and Xu communications re Transfer of Funds	Bryan Lim ownership and control of DG	Bryan Lim	106 SINCO009720 19-20 401 403	No objections to remainder of writing	
719	SINCO000980537	SINCO000980539	4/30/2017	Debit Notes issued by SinCo	Embedded Employee Issue	SinCo SG Cy NG	401 See Exhs. 219, 500 and 699 duplicative	Not duplicative. Covers different timeframe and contains additional admissions by SG	
720	SINCO012431	SINCO012431	6/17/2017	Lim-Liew Email re [REDACTED] Copper paint for metal grille	Customer - Google	Mark Liew Cy NG			
721	SINCO576934	SINCO576934	6/19/2017	Email from Ng to Andy Lim	Google-Xingke Business relationship	Mark Liew Cy NG			
722	Deposition Exhibit	Deposition Exhibit	7/19/2017	Financial History Record	Impeachment	Jon Chee	802 106 401 403	Impeachment	
723	Mark Liew #3 000295 / SINCO001944233	Mark Liew #3 000296 SINCO001944235	8/2/2017	Liew-Ng Google Emails	Customer - Google	Mark Liew			
724	SINCO791337	SINCO791340	8/3/2017	Emails between Google and Mark Liew	Use of XingKe mark	Mark Liew			
725	SINCO576936	SINCO576943	8/12/2017	Emails between Google and XingKe	Use of XingKe mark	Cy NG Mark Liew			
726	DEFS_0142938	DEFS_0142938	3/21/2018	Questions regarding a speaker mod email	Customer - Motorola	Mark Liew Cy NG	attachments 401 403	Agree to include attachments. Relevant for non-confusion.	
727	DEFS_0131010	DEFS_0131010	10/19/2017	DG "Certificates of Compliance" as Supplier for CUSTOMER	Customer - Motorola	Mark Liew Cy NG	106 missing email and related attachments	Agree to use DEFS_0142938 and all attachments.	
728	DEFS_0111686	DEFS_0111687	10/24/2017	Xingke-Lenovo Emails re [REDACTED] program	Customer - Motorola/Lenovo	Mark Liew			
729	DEFS_0258141	DEFS_0258179	11/3/2017	DG email to Google regarding XingKe Company Presentation	Xingke-Google relationship	Mark Liew Cy NG			
730	NG249977	NG249977	11/3/2017	DG email to Google regarding XingKe Company Presentation, including attachment	Xingke-Google relationship	Mark Liew Cy NG	106 (Part 7a)	Agree to use native. DEFS_0258141-42	
731	NG249978	NG250015	11/3/2017	Xingke Company Introduction	Xingke-Google relationship	Mark Liew Cy NG	106 (Part 7b) Native should be used	Agree to use native. DEFS_0258141-42	
732	SINCO910579	SINCO910581	11/7/2017	Nguyen Email re SinCo Employment Agreement	Sinco Employment Contract	Mihn Nguyen Jon Chee	106 no attachments 401 403 privacy	Will include attachment SINCO9105832-83; contains admission by SG that it realized its employee agreements caused confusion	
733	ML19101	ML19105	11/7/2017	Tjoa-Apple Emails re Meeting Minutes	Customer - Apple	ML Tjoa	Doesn't match cite ML18885- 19422	Cites do match (also at DEFS_0659791)	

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734	ML17491	ML17491	11/7/2017	KOTL-Apple Emails re Samples	Customer - Apple	ML Tjoa			
735	DEFS_0186568	DEFS_0186637	11/14/2017	Email from Darui to Polar with XingKe intro slides-Email from Yang to Polar with attachments, including powerpoint	Customer Interaction	Mark Liew CY Ng Jerry Da Rui	106 568-635	No objections to remainder of writing	
736	DEFS_0186577	DEFS_0186635	11/14/2017	XingKe Company Presentation	Customer Interaction	Mark Liew	106 568-635	No objections to remainder of writing	
737	DEFS_0186569	DEFS_0186576	11/14/2017	WITHDRAWN - Jinlong Machinery & Electronics Company Presentation	Customer Interaction	Mark Liew CY Ng Jerry Da Rui	Subsumed in Exh. 735	Defs will withdraw Ex. 737	
738	SINCO909938	SINCO909940	11/28/2017	Email from Chee to Eu re Google Visit	Customer - Google	Jon Chee			
739	SINCO575127	SINCO575128	12/4/2017	Internal Sinco SG emails regarding status of employees	SinCo SG communications with customer	SinCo SG Jon Chee	401	Customer preference to work with employee who left SinCo; undermines causation.	
740	DEFS_0148499	DEFS_148505	12/4/2017	LCS Rear housing 8S label needed	Xingke-Lenovo business relationship	Mark Liew Cy NG	401 802	Non-Hearsay: customer state of mind - notice that companies separate; non-confusion	
741	DEFS_0137630	DEFS_0137688	12/13/2017	Attachement: XingKe Company Introduction	Xingke-Motorola relationship	Mark Liew	106 (Part 8b)	No other writing identified	
742	DEFS_0111537	DEFS_0111539	12/13/2017	Email from CH Lim (XingKe) to Lee (Motorola)	Xingke-Motorola relationship	Mark Liew	106 (Part 8a)	No other writing identified	
743	SINCO001870840	SINCO001869941	1/14/2018	SinCo Balance Sheet Year 2014 to 2016	Customer - Apple	Jon Chee	SINCO01870840-845	No objections to remainder of writing	
744	XK00002720	XK00002727	1/15/2018	Apple - Tjoa emails: Onsite Dry Run Review at XingKe on 1/17	Customer - Apple	ML Tjoa	106 XK002716-2727	No objections to remainder of writing	
745	DEFS_0112916	DEFS_0112920	1/18/2018	Morotola-XingKe Emails re XingKe lighting project	Customer - Motorola	Mark Liew	802	Non-Hearsay: customer state of mind - notice that companies separate; non-confusion	
746	SINCO913238	SINCO913240	1/24/2018	Email from Nguyen to Eu re New SinCo Factory in Zhuhai	SinCo SG production capabilities	Minh Nguyen	Redundant See Exhs. 689/691	Not redundant - contains updated admissions	
747	DEFS_2384281	DEFS_2384319	2/2/2018	Welcome to Xingke Presentation	Xingke-Google relationship	Cy Ng Gouki Gao	26 MIL	Defs' Opp to MIL 2	
748	DEFS_2384234	DEFS_2384280	2/2/2018	XingKe Company Introduction	Xingke-Google relationship	Cy Ng Gouki Gao	26 MIL	Defs' Opp to MIL 2	
749	DEFS_2384233	DEFS_2384233	2/2/2018	Email from Liew (XingKe) to Sabharwal (Google) re Thank you for visit to XingKe	Xingke-Google relationship	Cy Ng Gouki Gao	26 MIL	Defs' Opp to MIL 2	
750	NG260985 / DEFS_2341310	NG260988 / DEFS_2341313	5/21/2018	Email from Mark Liew to Eric Pang	Xingke-Bose Business relationship	Mark Liew CY Ng			
751	DEFS_0153881	DEFS_0153892	5/31/2018	Emails re Bose-Intricon Order Shift - Lincoln Order Transfer	Customer - Bose	Mark Liew	802	Non-Hearsay: customer state of mind - notice that companies separate; non-confusion	
752	SINCO001870840	SINCO001870841	7/20/2018	Email re SinCo financial information	Customer - Apple	Minh Nguyen Jon Chee	106	other writing not identified	
753	SINCO913615	SINCO913617	7/28/2018	Jabil-SinCo Email re Mexico	SG - Jabil	Minh Nguyen Jon Chee			
754	ML0016642	ML0016667	10/19/2018	Jinglong Annual Operations Planning	Reveals customer presentation	ML Tjoa Deqiang Liu	401	Non-confusion	
755	DEFS_0198888	DEFS_0198890	11/6/2018	DG email to Ruwido regarding XingKe Company Presentation; and two powerpoint presentations	DG-Ruwido relationship	Cy NG Gouki Gao	106 401	Non-confusion	
756	NG254027	NG254028	11/21/2018	Email from Tan to ycb (KOTL) re Logi SER qualification: KOTL (Xingke)/CAP due Nov. 21, 2018 (WED)	Xingke-Customer relationship	Cy NG	NOT FOUND	Sent on 9/11/2021	
757	DEFS_0201943	DEFS_0201947	11/23/2018	Email form GuoJun (KOTL) to Jaburek (Ruwido) re Audit Report	Xingke-Customer relationship	Cy NG Gouki Gao	106 943-948	No objections to remainder of writing	

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758	NG252435	NG252436	11/29/2018	Email from Tan (Apple) to Sow (KOTL) re [REDACTED] Tooling KO	Xingke-Customer relationship	Cy NG	802	Non-hearsay: customer state of mind/effect on listener - not confused	
759	NG130477	NG130483	11/30/2018	Email from Lim (KOTL) to Pang (KOTL) re New Bose Project	Xingke-Customer relationship	Cy NG	802	Non-hearsay: customer state of mind/effect on listener - not confused	
760	NG227571	NG227574	12/4/2018	Email from Gillett (Google) to Tan (KOTL) re Update Request	Xingke-Customer relationship	Cy NG	802	Non-hearsay: customer state of mind/effect on listener - not confused	
761	DEFS_0206114	DEFS_0206115	1/12/2019	Email from Liew (KOTL) to McCarthy re Speckled Parts from Xingke	Xingke-Customer relationship	Cy NG			
762	Defs' MIL No. 2, Ex. H	Defs' MIL No. 2, Ex. H	3/4/2019	Article re Patent Agent Fights Identity Theft	Provisional - If Defs' MIL No. 2 denied	Judicial Notice			
763	Deposition Exhibit	Deposition Exhibit	4/2/2019	SinCo Holding Snapshot-Company overview	SinCo - Company Materials	SinCo SG Judicial Notice	802 401 403	Business record/public filing/judicial notice	
764	Deposition Exhibit	Deposition Exhibit	4/2/2019	SinCo Group Holdings PTE Snapshot - Singapore Business Directory	SinCo Name - Other Companies	SinCo SG Judicial Notice	802 401 403	Business record/public filing/judicial notice	
765	Deposition Exhibit	Deposition Exhibit	4/4/2019	Florida-Google Map	SinCo SG Business	Jon Chee Judicial Notice	802 401 403	Contradicts allegations in complaint	
766	Fed. Dkt. [269], Ex. C to 9/25/19 John Giust Declaration	Fed. Dkt. [269], Ex. C to 9/25/19 John Giust Declaration	4/11/2019	Corporate history re: Dongguan Sinco Silicone Rubber Producing Co., Ltd. (including English Translation)	Liew and NG not plaintiff's employees	Judicial Notice	802 401 403	Business record/public filing/judicial notice	
767	Exchanged on 9/9/2021	Exchanged on 9/9/2021	7/2/2019	English Translation of Court Mediation Document] XingKe DG v. Beijing Yig Intellectual Property Agency- Mediation Agreement	Provisional - If Defs' MIL No. 2 denied	SinCo DG Judicial Notice			
768	DEFS_3798383	DEFS_3798386	7/2/2019	Court Mediation Document] XingKe DG v. Beijing Yig Intellectual Property Agency- Mediation Agreement	Provisional - If Defs' MIL No. 2 denied	Judicial Notice SinCo DG	401 403 MIL	No forgery; Defs' Opp to MIL 2	
769	See attached files	See attached files	9/26/2020	Form 10-K Apple Inc.	Customer - Apple	Judicial Notice	401	Location of customer / oral license	
770	See attached files	See attached files	12/26/2020	Form 10-K Intel Corporation	Customer - Intel	Judicial Notice	401	Location of customer / oral license	
771	See attached files	See attached files	12/31/2020	Form 10-K Amazon.com, Inc.	Customer - Amazon	Judicial Notice	401	Location of customer / oral license	
772	See attached files	See attached files	12/31/2020	Form 10-K Alphabet Inc. (Google)	Customer - Google	Judicial Notice	401	Location of customer / oral license	
773	See attached files	See attached files	12/31/2020	Form 10-K Verizon Communications Inc.	Customer - Verizon	Judicial Notice	401	Location of customer / oral license	
774	See attached files	See attached files	3/21/2021	Annual Report FY21 4Q Kyocera Corporation	Customer - Kyocera	Judicial Notice	401	Location of customer / oral license	
775	See attached files	See attached files	3/31/2021	Form 10-K Flex Ltd.	Customer - Flex	Judicial Notice	401	Location of customer / oral license	

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776	See attached files	See attached files	6/28/2021	Swiftrionics Federal Corporation Information	Customer - Swiftronic	Judicial Notice	401	Location of customer / oral license	
777	See attached files	See attached files	7/29/2021	Certificate of Good Standing Motorola Mobility	Customer - Motorola	Judicial Notice	401	Location of customer / oral license	
778	See attached files	See attached files	8/25/2021	Ruwido Austrica gmbh webpage	Customer - Ruwido	Judicial Notice	401	Location of customer / oral license	
779	See attached files	See attached files	2/2/2021	Annual Report Bose MA SoS	Customer - Bose	Judicial Notice	401	Location of customer / oral license	
780	See attached files	See attached files	8/31/2021	Sinco Turn-Key Manufacturing webpage USA	Use of SinCo logo by other companies	Judicial Notice	401 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
781	See attached files	See attached files	8/31/2021	Sinco Data Processing Systems USA	Use of SinCo logo by other companies	Judicial Notice	402 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
782	See attached files	See attached files	8/31/2021	Sinco Automation Pte Ltd. Singapore	Use of SinCo logo by other companies	Judicial Notice	403 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
783	See attached files	See attached files	8/31/2021	Sinco Capital Pte Ltd. Singapore	Use of SinCo logo by other companies	Judicial Notice	404 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
784	See attached files	See attached files	8/31/2021	Sinco Consulting & Technology Pte Ltd. Singapore	Use of SinCo logo by other companies	Judicial Notice	405 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
785	See attached files	See attached files	8/31/2021	Sinco Edutech Pte Ltd. Singapore	Use of SinCo logo by other companies	Judicial Notice	406 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
786	See attached files	See attached files	8/31/2021	Sinco Inc. (Brand developer) USA	Use of SinCo logo by other companies	Judicial Notice	407 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
787	See attached files	See attached files	8/31/2021	Sinco Shipping Pte Ltd. Singapore	Use of SinCo logo by other companies	Judicial Notice	408 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
788	See attached files	See attached files	8/31/2021	Sinco Sala Inc. (Construction equipment) USA	Use of SinCo logo by other companies	Judicial Notice	409 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
789	See attached files	See attached files	8/31/2021	SincoPet (Pet products) USA	Use of SinCo logo by other companies	Judicial Notice	410 403 802	Abandonment/liikelihood of confusion Non-hearsay purpose	
790	SINCO673306	SINCO675826	2010-2017	Sinco-Swiftronic Purchase Orders	SinCo-SWFT-Apple Business	Chee			
791	DEFS_0008476	DEFS_0010037	2013-2015	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	401 403 802	Expansive oral license	
792	DEFS_0008373	DEFS_0008373	2/21/2017	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	402 403 802	Expansive oral license	
793	DEFS_0008372	DEFS_0008372	12/13/2013	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	403 403 802	Expansive oral license	
794	DEFS_0005747	DEFS_0005747	4/19/2017	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	404 403 802	Expansive oral license	
795	DEFS_0005745	DEFS_0005745	2/22/2017	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	405 403 802	Expansive oral license	
796	DEFS_0004158	DEFS_0004158	12/31/2013	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	406 403 802	Expansive oral license	
797	DEFS_0004157	DEFS_0004157	8/7/2013	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	407 403 802	Expansive oral license	
798	DEFS_0005612	DEFS_0005612	8/3/2015	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	408 403 802	Expansive oral license	
799	DEFS_0005578	DEFS_0005578	6/30/2014	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	409 403 802	Expansive oral license	
800	DEFS_0182689	DEFS_0182698	2013-2017	Records re: Black Diamond, WA	DG Customer - Kee	Cy NG	410 403 802	Expansive oral license	
801	SINCO000971419	SINCO000971437	2016-2017	Salary statements for Cy Ng	SinCo-DG Business Relationship	Cy NG Jon Chee	See Exh. 248		

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802	SINCO945430	SINCO945468	None	[Redline] Acquisition Prospectus	SinCo SG attempt to purchase factory	Mihn Nguyen Jon Chee	802 401 403	801(d)(2); SG admits losing customers at issue for reasons unrelated to infringement. Pg. 82.	
803	SINCO945233	SINCO945233	undated	Zhuhai Chi Cheng's Marketing Materials	SinCo-DG Business Relationship	Jon Chee Minh Nguyen	106 missing attachments and email 229-265	No objections to remainder of writing	
804	SINCO945110	SINCO945111	undated	Zhuhai Acquisition Doc - Customer Projections	SG production capabilities	Jon Chee Minh Nguyen			
805	SINCO601313	SINCO601313	undated	SinCo Corporate Structure chart	SinCo Corporate Structure	SinCo SG	106 SINCO601305 - 313	No objections to remainder of writing	
806	SINCO576261	SINCO576270	undated	SinCo brochure "Moulding the Future"	SG's Company Overview	Lim / Chee / Nguyen			
807	Deposition Exhibit	Deposition Exhibit	Undated	SinCo Pharmaceuticals Logo	SinCo Name - Other Company	Judicial Notice	802 401 403	Abandonment/use by other companies	
808	Deposition Exhibit	Deposition Exhibit	Undated	Newspaper Article	Impeachment	Judicial Notice Jon Chee	403 609 MIL	Defs' Opp to MIL 4	
809	Deposition Exhibit	Deposition Exhibit	Undated	SinCo Group Snapshot	SinCo Group Corporate History	SinCo SG			
810	SINCO000938	SINCO000982	Various	Payroll reports for Mark Liew from Sinco	Liew - Employment	SinCo SG Mark Liew	See Exh. 238		
811	SINCO645	SINCO645	Year 2010	Mark Liew Annual Leave Record	Liew - Employment	Mark Liew CY Ng	See Exh. 238		
812	SINCO002111406	SINCO002111407	Year 2011	WITHDRAWN - Apple Suppliers List 2011	SinCo SG not listed as Apple Supplier	Judicial Notice			
813	SINCO001367497	SINCO001367515	6/24/2010	SinCo Group Holdings Company Profile	SinCo - Company Materials	SinCo SG			
814				IRS Revenue Ruling 59-60, Section 4, Approach to Valuation, Section 3.01. 47 IRS Revenue Ruling 59-60, Section 4, Factors to Consider 2(b). "IRS Revenue Ruling 59-60, Section 4, Factors to Consider 2(g)	Basis for expert opinion	Hank Kahrs	401 MIL	Articles exchanged during expert discovery	
815				Commercial Damages - A Guide to Remedies in Business Litigation, Matthew Bender & Co., Inc., 2015, 51:03 [1]	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
816				Evans, Elizabeth, A. and Simon, Peter. P., Litigation Services Handbook: The Role of the Financial Expert, 6th Ed., John Wiley & Sons, Inc., 2017, pp. 19-7 - 19-8	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
817				Daniel, Brian M. and Froemming, John G., Calculating and Proving Damages, Release 6, Law Journal Press, 2015, pp. 7-2 - 7-3	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	

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818				Glick, Mark A., Intellectual Property Damages: Guidelines and Analysis, John Wiley & Sons, Inc., 2003, pp. 329-334	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
819				Boushie, Kristopher A.; Spadea, Christopher H.; and. Cunniff, Martin F., Calculating and Proving Damages, Release 6, Law Journal Press, 2015, p. 1-7	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
820				The Comprehensive Guide to Lost Profit Damages, 2009 Ed., (Business Valuation Resources, LLC, 2009), pp. 13-2 — 13-3	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
821				James O'Brien, CPA, CFF, and Greg Stillman, Esq., Performing Credible Lost Profits Analyses, The Comprehensive Guide to Economic Damages (Business Valuation Resources, LLC, 2018), p. 226	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
822				Stacey Udell, CPA/ABV/CFF, CVA, Projecting But-For Profits, The Comprehensive Guide to Economic Damages (Business Valuation Resources, LLC, 2018), p. 246	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
823				Vanderhart, Jennifer, Calculating and Proving Damages, Release 6, Law Journal Press, 2015, p. 5-12.	Basis for expert opinion	Hank Kahrs	MIL	Articles exchanged during expert discovery	
824	DEFS_0182654	DEFS_0182669		Chinese 2017 JUN ETA Sinco Dongguan JinLong Wenzhou Runze & Liming Lin	Corporate History	SinCo DG Judicial Notice	MIL	Produced before close of discovery	
825	DEFS_0182651	DEFS_0182653		Chinese 2016 OCT ETA Sinco Dongguan & Liming Lin	Corporate History	SinCo DG Judicial Notice	MIL	Produced before close of discovery	
826	Exchanged on 9/9/2021			Chinese 2016 OCT ETA Grand Fortune & Liming Lin	Corporate History	SinCo DG Judicial Notice	401 403 802 MIL	Business Record	
827	Exchanged on 9/9/2021			Chinese 2016 APR ETA Wenzhou Runze & Sinco Holdings	Corporate History	SinCo DG Judicial Notice	401 403 802 MIL	Business Record	
828	Exchanged on 9/9/2021		Year 2020	WITHDRAWN - Apple Supplier List 2020	Customer - Apple	Judicial Notice	401 403	SG not listed; Defs' MIL 2	
829	Exchanged on 9/9/2021		Year 2019	Apple Supplier List 2019	Customer - Apple	Judicial Notice	402 403	SG not listed; Defs' MIL 2	
830	Exchanged on 9/9/2021		Year 2018	Apple Supplier List 2018	Customer - Apple	Judicial Notice	403 403 26	SG not listed; Defs' MIL 2	
831	Exchanged on 9/9/2021		Year 2017	Apple Supplier List 2017	Customer - Apple	Judicial Notice	404 403 26	SG not listed; Defs' MIL 2	
832	Exchanged on 9/9/2021		Year 2016	Apple Supplier List 2016	Customer - Apple	Judicial Notice	405 403 26	SG not listed; Defs' MIL 2	
833	Exchanged on 9/9/2021		Year 2015	Apple Supplier List 2015	Customer - Apple	Judicial Notice	406 403 26	SG not listed; Defs' MIL 2	
834	Exchanged on 9/9/2021		Year 2014	Apple Supplier List 2014	Customer - Apple	Judicial Notice	407 403 26	SG not listed; Defs' MIL 2	
835	Exchanged on 9/9/2021		Year 2019	WITHDRAWN - Apple Supplier Code of Conduct 2019	Customer - Apple	Judicial Notice	408 403 26	Supplier selection process; Defs' MIL 2	
836	Exchanged on 9/9/2021		Year 2018	Apple Supplier Code of Conduct 2018	Customer - Apple	Judicial Notice	409 403 26	Supplier selection process; Defs' MIL 2	
837	Exchanged on 9/9/2021		Year 2017	Apple Supplier Code of Conduct 2017	Customer - Apple	Judicial Notice	410 403 26	Supplier selection process; Defs' MIL 2	
838	Exchanged on 9/9/2021		Year 2020	WITHDRAWN - Apple Supplier Code of Conduct 2020	Customer - Apple	Judicial Notice	411 403 26	Supplier selection process; Defs' MIL 2	

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839				INTENTIONALLY OMITTED					
840	Exchanged on 9/9/2021		Year 2016	Apple Supplier Code of Conduct 2016	Customer - Apple	Judicial Notice	413 403 26	Supplier selection process; Defs' MIL 2	
841	Exchanged on 9/9/2021		Year 2015	WITHDRAWN - Apple Supplier Code of Conduct 2015	Customer - Apple	Judicial Notice	414 403 26	Supplier selection process; Defs' MIL 2	
842	Exchanged on 9/9/2021		Year 2021	WITHDRAWN - Apple Supplier Code of Conduct 2021	Customer - Apple	Judicial Notice	415 403 26	Supplier selection process; Defs' MIL 2	
843				INTENTIONALLY OMITTED					
844	DEFS_0182789	DEFS_0182790	2/5/2015	Records re: Santa Clara, CA Company	Customer - Intel	Cy NG Mark Liew	401	Pre-existing DG-Intel relationship	
845	DEFS_0182800	DEFS_0182801	7/26/2013	WITHDRAWN - Records re: Santa Clara, CA Company	Customer - Intel	Cy NG Mark Liew	401	Pre-existing DG-Intel relationship	
846	NG00106	NG00106	None	CY Ng XingKe Business Card	Ng - Employment	Cy NG			
847	NG0002078 /	NG0002087/	None	SinCo Slide Deck	SinCo - Company Materials	Cy Ng			
848	ML17253	ML17253	None	ML Tjoa Business Card	Tjoa representations to	ML Tjoa			
849	DEFS_0148746	DEFS_0148750	10/12/2017	Xingke Vendor Set up with Motorola	Xingke-Motorola Business relationship	SinCo DG	802	Business record; non-hearsay purpose of Motorola's state of mind and/or knowledge it was dealing with Xingke	
850	DEFS_0111681	DEFS_0111685	10/12/2017	Xingke Vendor Form with Motorola	Xingke-Motorola Business relationship	SinCo DG	802	Business record; non-hearsay purpose of Motorola's state of mind and/or knowledge it was dealing with Xingke	
851	DEFS_3862412			XingKe Revenue Report -Tech Full Computer Changshu Co. Ltd. - Apple Band	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
852	DEFS_3862413			XingKe Revenue Report -Apple Inc. - Apple Band	DG-Xingke Revenue	Mark Liew	402 26 MIL	Defs' Opp to MIL 2; damages	
853	DEFS_3862414			XingKe Revenue Report -Compal Smart Device Chongquin Co. Ltd. - Apple Band	DG-Xingke Revenue	Mark Liew	403 26 MIL	Defs' Opp to MIL 2; damages	
854	DEFS_3862415			XingKe Revenue Report - Hongzhaoda Integrated Innovative Service Kunshan Co. Ltd. - Apple Band	DG-Xingke Revenue	Mark Liew	404 26 MIL	Defs' Opp to MIL 2; damages	
855	DEFS_3862416			XingKe Revenue Report - Tech Com Chongqing Computer Co. Ltd. - Apple Band	DG-Xingke Revenue	Mark Liew	405 26 MIL	Defs' Opp to MIL 2; damages	
856	DEFS_3862417			XingKe Revenue Report - Hon Hai Precision Industry Co. Ltd. - Apple Band	DG-Xingke Revenue	Mark Liew	406 26 MIL	Defs' Opp to MIL 2; damages	
857	DEFS_3862403			XingKe Revenue Report - Swiftronic Pte Ltd. - Apple Phone Case	DG-Xingke Revenue	Mark Liew	407 26 MIL	Defs' Opp to MIL 2; damages	
858	DEFS_3862404			XingKe Revenue Report - Bristrip Metal Industrial Ltd. (2017) - Apple Phone Case	DG-Xingke Revenue	Mark Liew	408 26 MIL	Defs' Opp to MIL 2; damages	
859	DEFS_3862411			XingKe Revenue Report - Cosmoindustries Dongguan Co. Ltd. USD currency - Apple Phone Case	DG-Xingke Revenue	Mark Liew	409 26 MIL	Defs' Opp to MIL 2; damages	
860	DEFS_386418			XingKe Revenue Report - Bristrip (2015) - Apple Phone Case	DG-Xingke Revenue	Mark Liew	410 26 MIL	Defs' Opp to MIL 2; damages	

TRIAL EXHIBIT NO.	BEGINBATES	END BATES	DATE	DESCRIPTION	REASON OFFERED	SPONSORING WITNESS	OBJECTION(S)	RESPONSE(S) TO OBJECTION(S)	SPACE FOR COURT
861	DEFS_3862419			XingKe Revenue Report - Cosmoindustries Dongguan Co. Ltd. RMB currency - Apple Phone Case	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
862	DEFS_3862420			XingKe Revenue Report - Swiftronic Pte Ltd. - Apple Phone Case	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
863	DEFS_3862405			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2010	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
864	DEFS_3862406			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2011	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
865	DEFS_3862407			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2012	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
866	DEFS_3862408			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2013	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
867	DEFS_3862409			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2013 to 2015	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
868	DEFS_3862410			Sinco Technology Sales Revenue Report (For Apple Phone Case) - 2013 to 2017	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
869	DEFS_3862421			XingKe Revenue Report - Sinco -2013-2015 - Bose	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
870	DEFS_3862422			XingKe Revenue Report - Sinco -2015-2017 - Bose	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
871	DEFS_3862423			XingKe Revenue Report - IntriCon Pte. Ltd. - Bose	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
872	DEFS_3862424			XingKe Revenue Report - Flextronic International Europe B.V. - Bose	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
873	DEFS_3862425			XingKe Revenue Report - Sinco Technologies Pte. Ltd. - Bose	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
874	DEFS_3862428			XingKe Revenue Report - Tech -Front (Chongqing) Computer Co. Ltd. - Google	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
875	DEFS_3862429			XingKe Revenue Report TCL - Google	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
876	DEFS_3862430			XingKe Revenue Report - Google	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
877	DEFS_3862426			Summary of Sales of XingKe from 2010 to 2020	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
878	DEFS_3862427			XingKe Revenue Report - Verizon	DG-Xingke Revenue	Mark Liew	401 26 MIL	Defs' Opp to MIL 2; damages	
879	Defs' MIL No. 2, Ex. F / DEFS_3862383	DEFS_3862399	8/31/2021	Xingke Appellate Petition	Provisional - If Defs' MIL No. 2 denied	Judicial Notice	802 401 403	Defs' Opp to MIL 2; recent document	
880	Exchanged on 9/9/2021		12/7/2006	Archived SinCo DG website from 2006	DG customer sales	Judicial Notice	26 MIL	Defs' Opp. to MIL 2; JM - Defs' Obj. (e)	
881	Exchanged on 9/9/2021		6/25/2016	Archived SinCo DG website from 2016	DG customer sales	Judicial Notice	27 MIL	Defs' Opp. to MIL 2; JM - Defs' Obj. (e)	
882	DEFS_0006068	DEFS_0006069	8/3/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
883	DEFS_0007118	DEFS_0007119	6/30/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
884	DEFS_0007121	DEFS_0007122	8/24/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
885	DEFS_0010522	DEFS_0010523	6/30/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
886	DEFS_0010526	DEFS_0010527	6/16/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
887	DEFS_0010539	DEFS_0010540	8/3/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
888	DEFS_0010550	DEFS_0010552	8/12/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
889	DEFS_0010553	DEFS_0010554	8/24/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
890	DEFS_0184026	DEFS_0184027	6/30/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	

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891	DEFS_0184028	DEFS_0184029	8/3/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
892	DEFS_0184030	DEFS_0184031	8/24/2016	Avegant Purchase Order	DG customer sales	Mark Liew	401 403	DG use of SinCo mark to US customer	
893	DEFS_0103036	DEFS_0103069	9/29/2017	Email from Dobeus (Motorola) to CH Lim (XingKe) re [REDACTED] XingKe	Customer - Motorola	Cy NG Mark Liew Gouki Gao	401 26 MIL	Xingke-Motorola direct dealings; produced before close of fact discovery (bates range); in any event, see Defs' Opp. to MIL 2.	
894	Mark Liew 000224		10/28/2016	SinCo Group Holdings Ptd Record	Lim relationship with Xingke	Bryan Lim	106 401 403	Lim's control and knowledge re DG activities	
895	DEFS_3798391		None	Cy Ng DG Business Card and Badge	Employment	Cy Ng	MIL 2, FRCP 26	Defs' Opp. to MIL 2	
896	DEFS_3798512		None	Mark Liew DG Business Card and Badge	Employment	Mark Liew	MIL 2, FRCP 26	Defs' Opp. to MIL 2	
897	ML_18419	ML_18420	3/2/2016	Tjoa emails with Google	Customer - Google	ML Tjoa			
898	Depo. Ex. NG 52		8/3/2015	Slide Presentation at Factory	Customer - Bose	NG or Chee		This was a duplicate Defendants initially removed from its portion of the list when the Joint Exhibit was filed on 9/14. On 10/1, Plaintiff replaced Ex. 58 with a different exhibit. As such, Defendants will include this exhibit in its portion	

EXHIBIT 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

v.

SINCO ELECTRONICS (DONGGUAN)
CO. LTD., et al.,

Defendants.

Case No. 17-cv-05517-EMC (JCS)

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION FOR
SANCTIONS AND RULING ON
ORDER TO SHOW CAUSE**

Re: Dkt. No. 229, 242

I. INTRODUCTION

Plaintiff SinCo Technologies PTE Ltd. (“SinCo”) brings a Motion for Sanctions (“Sanctions Motion”) asking the Court to find that Defendants are in civil contempt for disclosing confidential information in a letter to the Court filed in the public record and to award monetary sanctions against Defendants and their former attorney, Jeffrey Fazio of the DeHeng Law Offices. Both Fazio and Defendants filed opposition briefs, but the opposition filed by Defendants was a week late. The Court issued an Order to Show Cause why Defendants should not be sanctioned for their untimely filing, failure to request an extension of time and making false statements to the Court. A hearing on the Sanctions Motion and Order to Show Cause was held on August 23, 2019 at 9:30 a.m. For the reasons stated below, the Court GRANTS in part and DENIES in part SinCo’s Motion and awards additional sanctions in connection with the Order to Show Cause.¹

¹ Although the district judge has appointed a special master to handle discovery disputes going forward, the undersigned magistrate judge rules on the instant Motion because the issues raised in it are closely related to two previous discovery orders by the undersigned, docket nos. 187 and 191. All further discovery motions should be submitted to the special master.

II. BACKGROUND

This particular dispute began when counsel filed separate discovery letters, in violation of the Court's orders governing the procedures for seeking Court assistance in resolving discovery disputes. As the parties had already violated these orders on numerous occasions, the undersigned issued an Order to Show Cause Why Defendants Should Not Pay Sanctions Regarding Exchange of Non-Joint Letters. *See* Docket No.178. In the Order to Show Cause, the Court made clear that that *both* parties appeared to have acted unreasonably with respect to their handling of the discovery letters but that Defendants' conduct was more egregious. Nonetheless, after considering Defendants' written response to the Order to Show Cause, the undersigned concluded that Defendants' conduct was inadvertent and noted that SinCo's counsel bore some of the responsibility for the parties' violation of the Court's joint letter requirement because he "unreasonably restricted both the time allowed for Defendants' counsel to review the 'non-joint letter' and arbitrarily restricted the subject matter of that letter." Docket No. 187. The Court therefore expunged the Order to Show Cause in an order filed on April 9, 2019 (the "April 9 Order"). *Id.* No sanctions were imposed.

On April 12, 2019, SinCo attorney Lael Andara filed a letter asking the Court for leave to file a motion for reconsideration of the Court's April 9 Order. Docket No.190. Counsel wanted to share with the Court his side of the story with respect to the reasons for filing separate letters. The letter went far beyond that issue, however, setting forth a detailed description of what Andara considered to be misconduct on the part of Defendants' counsel with respect to the handling of various ongoing discovery disputes. *Id.* The Court denied the motion for reconsideration on April 15, 2019, stating that it would not revisit its previous decision but acknowledged that SinCo's counsel had raised "disturbing incidents reflecting the failure of counsel to work together to solve discovery problems that have been endemic in this case." *Id.*

At this point, both sides had offered accounts of why separate discovery letters had been filed and the Court had decided (twice) that it would not impose sanctions. Nonetheless, an hour after the Court had issued its order denying SinCo's motion for reconsideration, Fazio, who still represented Defendants, filed his own letter (the "April 15 letter") responding to the accusations of

1 SinCo's counsel with respect to his alleged discovery misconduct. Docket No. 192. Among other
2 things, Fazio described disputes that had arisen at the April 4, 2019 deposition of Jonathan Chee,
3 SinCo's former COO, referencing the content of that deposition. *See* Docket No. 192. It is
4 undisputed that at the time the letter was filed, the entire deposition transcript was still designated
5 as CONFIDENTIAL ATTORNEYS EYES ONLY under the protective order in this case. *See*
6 Docket No. 124 ("Protective Order") § 5.2 (providing, in part, that "the Party or non-party that
7 sponsors, offers, or gives the testimony shall have up to ten (10) business days after receipt of the
8 transcript or thirty (30) days after the deposition, whichever comes first, to identify the specific
9 portions of the testimony as to which protection is sought."); *see also* Motion at 4 (quoting
10 agreement between the parties' attorneys that entire deposition transcript would be treated as
11 confidential pending designations by Plaintiff's counsel). Even though his letter contained
12 information from Chee's deposition, Fazio filed the April 15 letter in the public record, in
13 violation of the parties' agreement and the terms of the Protective Order.

14 SinCo brought a motion for protective order ("Protective Order Motion") on April 24,
15 2019, seeking an order protecting from disclosure information about Chee's past conviction
16 (which was addressed at Chee's deposition and in the April 15 letter) and also asking the Court to
17 prohibit Defendants from threatening Chee with criminal prosecution. Docket No. 200. In the
18 Protective Order Motion, SinCo argued that the April 15 letter was filed in bad faith with the
19 intent to intimidate and harass Chee, that Defendants' counsel had mischaracterized Chee's
20 testimony in the April 15 letter, and that Chee had a right to privacy with respect to his past
21 conviction. *Id.* Defendants filed a statement of non-opposition and the Court granted the
22 Protective Order Motion in part, ordering that "the testimony by Mr. Chee regarding a fifteen (15)
23 year old prior conviction in Singapore [was] properly designated as confidential under the
24 Protective Order" and placing the April 15 letter under seal. Docket No. 214. In all other
25 respects, the Protective Order Motion was denied.

26 On July 3, 2019, SinCo brought its Sanctions Motion, asking the Court to hold Defendants
27 in civil contempt for violating the Protective Order in this case by filing the April 15 letter in the
28 public record and to award sanctions against Defendants and attorney Jeffrey Fazio for what it

1 contends is conduct aimed at “embarrass[ing] and harass[ing] Mr. Chee for the purpose of
2 coercing Mr. Chee not to testify at trial.” Sanctions Motion at 5. Although many of the arguments
3 in the instant Motion had already been made (e.g., that Defendants’ counsel had violated Rule 11
4 of the Federal Rules of Civil Procedure in filing the April 15 letter), this was the first time SinCo’s
5 counsel expressly requested that the Court impose sanctions for Defendants’ and Fazio’s conduct
6 related to the Chee deposition and April 15 letter.

7 The Opposition brief on the Sanctions Motion was due on July 17, 2019. On July 18,
8 2019, Fazio – who no longer represented Defendants – filed an opposition brief on his own behalf,
9 arguing that the information about Chee’s past conviction was publicly available and therefore
10 could not fall under the protective order; nor could its disclosure support the imposition of
11 sanctions. Docket No. 231. Fazio further asserted that SinCo’s accusations of discovery
12 misconduct related to the Chee deposition and April 15 letter had already been raised in the
13 Protective Order Motion and rejected by the Court. *Id.* Finally, he argued that SinCo failed to
14 comply with the procedural requirements of bringing a motion for sanctions under Rule 11 of the
15 Federal Rules of Civil Procedure. *Id.* Fazio also supplied a declaration in support of his
16 opposition to which he attached news articles about Chee’s past conviction to show that
17 information about Chee’s conviction was already publicly available. Docket No. 232 (“Fazio
18 Opposition Decl.”), Ex. A.

19 SinCo filed a reply to Fazio’s opposition brief on July 23, 2019. It disputed Fazio’s
20 version of events and argued that Defendants have a “pattern and practice” of blaming their
21 attorneys for misconduct from which they benefit. Docket Nos. 234. The reply was supported by
22 a declaration by Daniel Gaitan with documents attached reflecting what SinCo argued were
23 examples of such conduct. Docket No. 237. SinCo also argued that the Sanctions Motion is not a
24 Rule 11 motion and is distinct from its previous motion for a protective order. SinCo objected to
25 the news articles about Chee that were filed as an attachment to the Fazio Opposition Declaration,
26 arguing that by filing them in the public record Fazio was again harassing Chee. SinCo also
27 argued that while Fazio had filed an opposition brief, Defendants had not and therefore the Court
28 should consider the Sanctions Motion unopposed by Defendants.

1 Fazio filed an objection to the Reply evidence attached to the Gaitan Declaration on July
2 24, 2015. Docket No. 235. On the same date, Defendants filed an opposition to the Sanctions
3 Motion, one week past the date when it was due. Docket No. 236. Although Defendants had not
4 requested an extension of their briefing deadline, they represented to the Court in their brief and in
5 a supporting declaration by attorney Michael York that they were unable to file a timely reply
6 brief because Fazio and the DeHeng Law Offices had not provided their new counsel with
7 sufficient information about the underlying facts that were the basis of the Sanctions Motion. *See*
8 York Dec., ¶ 2 (“Defendants’s [sic] former attorneys have not been cooperative in providing
9 information regarding the events to be able to prepare opposition. As a result, Defendants were
10 unable to prepare opposition until Defendants’s [sic] former attorneys filed opposition and
11 Defendants had information regarding at least what Defendants’s [sic] former attorneys claimed”).

12 The next day, Fazio filed a declaration responding to York’s declaration, stating that the
13 reasons offered by York for Defendants’ late filing were false. Docket No. 240 (“Fazio July 24
14 Declaration”). According to Fazio, he and Clay Zhu, also an attorney at the DeHeng Law Offices,
15 had spent significant time with Defendants’ new counsel “helping WHGC attorneys prepare to
16 take over the defense of this litigation before DeHeng formally withdrew from its representation of
17 Defendants last May.” *Id.* ¶ 4. Fazio described these efforts in detail in his declaration. They
18 included several lengthy meetings between counsel and the provision to WHGC of all of the
19 litigation files in the case, in both electronic form and hard copy. *Id.*

20 According to Fazio, since June 11, 2019, the only substantive communication between the
21 DeHeng Law Offices and WHGC was a brief exchange of emails on July 3, 2019, soon after the
22 Sanctions Motion was filed. *See* Fazio July 24 Decl., Ex. A (July 3, 2019 email chain). It began
23 with an inquiry from WHGC attorney Kathleen Alparce to Zhu and Fazio stating: “Attached is
24 Sinco Technologies’ Motion for Sanctions. Please advise as to your response.” *Id.* A few
25 minutes later, Zhu responded, stating: “Hi Kathleen: my office will file an opposition. Thanks.”
26 *Id.* Approximately an hour later, WHGC’s Michael York (who had been copied on the emails
27 described above) sent an email stating as follows:

28 To make sure there is no misunderstanding, first, you may oppose the

1 motion on behalf of your office and your attorneys, but you are not
2 authorized to oppose the motion on behalf of our clients. Second, in
opposing the motion, you are not permitted to reveal anything
privileged by attorney-client privilege or that is confidential.

3 *Id.* Fazio states that the only other communication with WHGC since the July 3 exchange related
4 to an unpaid bill, and that WHGC made “no request for assistance from WHGC regarding the
5 motion for sanctions or any other matter.” Fazio July 24 Decl. ¶ 7.

6 In the meantime, SinCo filed a motion to strike Defendants’ opposition on the basis that it
7 was untimely. Docket No. 238. Although it would have been well within the Court’s discretion to
8 grant that motion, the Court decided instead to cure any prejudice associated with the untimely
9 filing by allowing SinCo to file a surreply and to consider awarding SinCo any additional
10 attorneys’ fees and costs incurred as a result of the late filing. Therefore, on July 26, 2019 the
11 Court denied the motion to strike and set a deadline for SinCo’s surreply, instructing SinCo to
12 provide documentation of the fees and costs associated with Defendants’ failure to file their
13 opposition brief by the deadline. In light of Fazio’s July 24 declaration, the Court also issued an
14 Order to Show Cause why Defendants should not be sanctioned for apparently misrepresenting the
15 facts regarding their late opposition and for failing to request an extension of the briefing
16 deadlines. Docket Nos. 241, 242.

17 On August 2, 2019, SinCo filed its Surreply, along with documentation of the expenses it
18 incurred in filing the motion to strike. Docket No. 243.

19 Defendants’ new counsel filed a response to the Order to Show Cause (“OSC Response”) on the same date, with another declaration by York (“York OSC Decl.”). Docket No. 244. They
20 again asserted that they had not been provided sufficient information by the DeHeng Law Offices
21 to file a timely opposition. In support of that assertion, they cited an email from May 29, 2019, in
22 which Zhu refused to provide WHGC with more legible copies of documents Defendants had
23 previously produced to SinCo on the basis that the DeHeng Law Offices had not been paid by the
24 clients. York OSC Decl., Ex. A. Zhu told WHGC that the DeHeng Law Offices had already
25 provided it with all of the documents in electronic format and the documents that WHGC was
26 looking for could be found there. *Id.* He concluded the email by stating, “[b]ecause the clients
27
28

1 have not paid my invoices, I am unable to assist you any further.” *Id.* In the OSC Response,
2 Defendants rely on Zhu’s email to show that the DeHeng Law Offices had already refused to
3 cooperate even before the Sanctions Motion was filed, implying that there would have been no
4 point in asking for DeHeng Law Offices for additional information in connection with
5 Defendants’ opposition to the Sanctions Motion.

6 Second, Defendants contend that WHGC’s email of July 3 asking Zhu and Fazio to
7 “[p]lease advise as to your response” to the Sanctions Motion *was* a request by WHGC for
8 information related to the Sanctions Motion and that Zhu’s email response on the same date did
9 not provide that information, instead stating that DeHeng Law Offices would file an opposition
10 brief. York states in his OSC declaration that only when Fazio actually filed his opposition brief
11 did the WHGC attorneys realize that Fazio did not intend to oppose the motion on behalf of
12 Defendants but only on his own behalf. *See* York OSC Decl. ¶ 7. In support of this version of the
13 facts, WHGC provided as an attachment to the York OSC Declaration a copy of the July 3 email
14 exchange between Alperce and Zhu but omitted the third email, quoted above, in which York
15 instructed Zhu that the DeHeng Law Offices was not authorized to respond to the Sanctions
16 Motions on Defendants’ behalf. York OSC Decl., Ex. B.

17 Finally, in response to the Court’s order that Defendants explain why they did not request
18 an extension of the filing deadline, Defendants state that they sent an email to Andara on July 23
19 (the day before SinCo’s reply was due and six days *after* their opposition was due) informing him
20 that they planned to file an opposition the next day and would not object if SinCo wanted
21 additional time to file its reply). OSC Response at p. 5 & Ex. C (email sent from Michael York to
22 Lael Andara giving SinCo’s counsel a “heads up” that Defendants planned to file their opposition
23 brief the next day). SinCo filed its Reply to Fazio’s brief a few hours later, one day before the
24 July 24 deadline.

25 On August 4, 2019, Fazio filed a response to WHGC’s response to the Order to Show
26 Cause, asserting that Defendants’ new counsel had again misrepresented the facts. In response to
27 York’s representation that he had been “blindsided” when Fazio’s opposition did not present
28 arguments on behalf of Defendants, Fazio pointed to the email from York that he had already put

1 in the record showing that York had specifically told him that he was not authorized to oppose the
2 Sanctions Motion on Defendants' behalf. Docket No. 245.

3 **III. ANALYSIS**

4 **A. Legal Standards**

5 "Three primary sources of authority enable courts to sanction parties or their lawyers for
6 improper conduct: (1) Federal Rule of Civil Procedure 11, which applies to signed writings filed
7 with the court, (2) 28 U.S.C. § 1927, which is aimed at penalizing conduct that unreasonably and
8 vexatiously multiplies the proceedings, and (3) the court's inherent power." *Fink v. Gomez*, 239
9 F.3d 989, 991 (9th Cir. 2001). The sanctions at issue here involve the Court's inherent power.²

10 "The power to punish for contempt is inherent in all courts." *Chambers v. NASCO, Inc.*,
11 501 U.S. 32, 44 (1991) (internal quotation and citation omitted). "Civil contempt . . . consists of a
12 party's disobedience to a specific and definite court order by failure to take all reasonable steps
13 within the party's power to comply." *In re Dual-Deck Video Cassette Recorder Antitrust Litig.*, 10
14 F.3d 693, 695 (9th Cir. 1993). Although the contempt "need not be willful, [] a person should
15 not be held in contempt if his action appears to be based on a good faith and reasonable
16 interpretation of the court's order." *Reno Air Racing Ass'n v. McCord*, 452 F.3d 1126, 1130 (9th
17 Cir. 2006) (quoting *In re Dual-Deck Video Cassette Recorder Antitrust Litig.*, 10 F.3d at 695). A
18 party may be found in contempt when it is established "(1) that [the alleged contemnor] violated
19 the court order, (2) beyond substantial compliance, (3) not based on a good faith and reasonable
20 interpretation of the order, (4) by clear and convincing evidence." *Frankl v. HTH Corp.*, 832 F.
21 Supp. 2d 1179, 1186 (D. Haw. 2011) (quoting *United States v. Bright*, 596 F.3d 683, 694 (9th Cir.
22 2010) (internal quotations and citations omitted)).

23 Under its inherent power, a court also may impose sanctions on a party where it finds that
24 it has acted "in bad faith, vexatiously, wantonly, or for oppressive reasons." *Fink v. Gomez*, 239
25 F.3d at 991 (citing *Roadway Express, Inc. v. Piper*, 447 U.S. 752, 766 (1980)). In *Fink*, the court
26 explained that "bad faith" "includes a broad range of willful improper conduct," "including
27

28 ² Although the Sanctions Motion invokes Rule 11, SinCo makes clear in its Reply brief that it is
not seeking Rule 11 sanctions but rather, is invoking the Court's inherent power. See Reply at 7.

recklessness when combined with an additional factor such as frivolousness, harassment, or an improper purpose.” *Id.* at 994. ““Because of the potency of inherent powers and the limited control of their exercise, however, they must be used with great restraint and caution.”” *Life Techs. Corp. v. Biosearch Techs., Inc.*, No. C-12-00852 WHA JCS, 2012 WL 1600393, at *9 (N.D. Cal. May 7, 2012) (quoting *Toon v. Wackenhut Corr. Corp.*, 250 F.3d 950, 952 (5th Cir. 2001) (internal quotation and citation omitted). The Supreme Court has explained that “when there is bad-faith conduct in the course of litigation that could be adequately sanctioned under the Rules, the court ordinarily should rely on the Rules rather than the inherent power. But if in the informed discretion of the court, neither the statute nor the Rules are up to the task, the court may safely rely on its inherent power.” *Chambers v. NASCO, Inc.*, 501 U.S. at 50.

B. The Sanctions Motion

The Sanctions Motion is based on a breach of the Protective Order in this case, namely, the disclosure of information from the Chee deposition in Fazio’s April 15 Letter. Neither Fazio nor Defendants dispute that the April 15 letter included information from the transcript of Chee’s deposition, that counsel had, on the record, designated the entire transcript as protected ATTORNEYS’ EYES ONLY information, and that the time allowed under the Protective Order for SinCo’s counsel to make its designations had not yet expired. Because Fazio represented Defendants at the time he filed the letter, Defendants are “deemed bound” by his acts and are considered to have “notice of all facts, notice of which can be charged upon the attorney.” *Link v. Wabash R. Co.*, 370 U.S. 626, 633–34 (1962) (internal quotation and citation omitted). Therefore, the Court finds that SinCo has established by clear and convincing evidence that Defendants and Fazio violated an order of this Court. The Court further finds that Fazio’s letter did not constitute “substantial compliance” with the Protective Order; nor have Defendants or Fazio offered any good faith and reasonable interpretation of the Protective Order that would excuse their disclosure of information in the Chee deposition transcript after counsel’s designation on the record of the entire transcript as protected and before the time allotted to SinCo for making its designations had expired. Rather, while representing Defendants Fazio repeatedly failed to abide by the rules that govern the treatment of confidential information in this case, causing the Court to issue numerous

orders for Defendants to cure these errors. *See, e.g.*, Docket Nos. 161, 179, 198.

The Court further finds that the inclusion in the April 15 letter of detailed information about disputes that arose between counsel at the Chee deposition was for an improper purpose. When Fazio filed the April 15 letter, which was purportedly a response to SinCo's motion for leave to file a motion for reconsideration of the Court's April 9 Order, the Court had not asked for a response from Defendants, which was not required.³ *See* Civil Local Rule 7-9(d). Indeed, by the time Fazio filed the April 15 letter, the Court had already denied SinCo's motion for reconsideration. Defendants' counsel nonetheless chose to file the letter, and to include in it a lengthy description of issues that arose at the Chee deposition. As there was no pending discovery motion related to these issues, Fazio's inclusion of this discussion was an attempt to gain the upper hand with the Court in its ongoing discovery disputes even though (once again) he had not followed the Court's procedures for addressing discovery disputes as to any disputes Defendants may have had with SinCo regarding what transpired at the Chee deposition.

In addition, Fazio's inclusion of detailed information about his questioning of Chee in the April 15 letter, which was entirely unnecessary to resolve any discovery dispute that was properly before the Court, also lends credence to SinCo's allegation that Defendants' purpose was, in fact, to intimidate Chee and discourage him from testifying. This conclusion finds further support in the fact that Fazio filed in the public record *additional* news reports about Chee's conviction in support of his opposition brief, even though SinCo did not dispute that information about Chee's conviction was publicly available and the Court had already ruled that information about that conviction was nonetheless covered by the Protective Order. Therefore, the Court concludes that Defendants' conduct in filing the April 15 letter in the public record was for an improper purpose for this reason as well. Based on Defendants' reckless conduct and improper purpose, the Court finds that Defendants and Fazio acted in bad faith.

Therefore, the Court concludes that the filing of the April 15 letter in the public record

³ Fazio appears to have been aware that he was not required to respond to SinCo's motion, starting the April 15 letter by stating that when he first saw SinCo's motion, he "decided not to respond to it," but subsequently he changed his mind. Docket No. 192.

warrants an exercise of the Court’s civil contempt power.

A primary aspect of the Court’s discretion in exercising its inherent powers “is the ability to fashion an appropriate sanction for conduct which abuses the judicial process.” *Chambers v. NASCO, Inc.*, 501 U.S. at 44-45. “[A] court may assess attorney’s fees when a party has “acted in bad faith, vexatiously, wantonly, or for oppressive reasons.” *Id.* at 45-46. As that requirement has been met, the undersigned concludes that an award of attorneys’ fees and costs incurred as a result of Defendants’ violation of the Protective Order is appropriate. The Court declines, however, to award the full amount sought by SinCo, which has requested \$16,976.50 in fees and costs. *See* Andara Decl. (Docket No. 229-1) ¶ 21. SinCo’s request is based on the time spent on its response to the April 15 letter, including the preparation and filing of its motion for a protective order. SinCo prevailed only in part on that motion, however, as discussed above. Accordingly, the Court awards sanctions in the amount of \$5,000 to SinCo. Of this amount, \$1,500 shall be paid by Fazio personally; the remainder will be paid by Defendants.⁴

C. The OSC

Given the extremely contentious relationship between the DeHeng Law Offices and SinCo’s counsel, the retention of new counsel by Defendants would seem to have offered an opportunity for a fresh start. Instead, the attorneys at WHGC – and in particular, Michael York – have flagrantly ignored the Court’s rules and knowingly made false statements to the Court about their actions not just once but twice. In particular, the Court finds that Defendants’ attorneys knowingly made false statements when: 1) they represented to the Court that they were unable to

⁴ The Court notes that SinCo could have requested sanctions for violation of a discovery order under Rule 37 of the Federal Rules of Civil Procedure. Sanctions are permissible under Rule 37 when a party fails to comply with a court order, regardless of the reasons. *See Societe Internationale Pour Participations Industrielles et Commerciales, S.A. v. Rogers*, 357 U.S. 197, 208, 78 S.Ct. 1087, 2 L.Ed.2d 1255 (1958) (“[T]he willfulness or good faith of [a party], can hardly affect the fact of noncompliance and [is] relevant only to the path which the District Court might follow in dealing with [the party’s] failure to comply.”); *David v. Hooker, Ltd.*, 560 F.2d 412, 420 (9th Cir.1977) (“in view of the possibility of light sanctions, even a negligent failure [to obey an order] should come within” Rule 37); *Chicult v. U.S.*, 4 F.3d 1322, 1320 n. 23 (5th Cir.1993) (citing *Societe* for the proposition that “the type of conduct displayed by a party had no bearing on whether sanctions should be imposed, but only on the type of sanctions imposed”). The Court finds that sanctions are warranted under Rule 37 and therefore awards the sanctions discussed above on that ground as well.

1 file their opposition on time because the DeHeng Law Offices had been uncooperative in
2 providing the information necessary to respond to the Sanctions Motion; and 2) they represented
3 to the Court that they did not know until *after* Fazio filed his opposition brief that Fazio and the
4 DeHeng Law Offices would not be arguing in opposition to that motion on behalf of Defendants.
5 In fact, the declarations and documentary evidence submitted by the parties make it crystal clear
6 that Defendants did not ask for additional information from the DeHeng Law Offices in order to
7 prepare their opposition brief – *ever*. Their attempt to spin Zhu’s response to their May 29 request
8 for more legible copies of documents that were already in their possession as a refusal to provide
9 *any* further assistance to Defendants’ new counsel is an unreasonable reading of that email.
10 Similarly, their argument that their July 3 request that the DeHeng law Offices “advise as to [its]
11 response” constituted a request for the substantive *content* of their opposition brief is an
12 unreasonable interpretation of WHGC’s email. As York’s later email made clear, this exchange
13 was about *who* would respond to the motion, not a request for information about the facts on
14 which the Sanctions Motion were based. The lack of any follow-up email clarifying that WHGC
15 was seeking assistance in learning the facts further supports the Court’s reading of these emails.

16 Even more disturbing than these tortured attempts to show that the DeHeng Law Offices
17 refused to provide the assistance necessary to file an opposition brief on Defendants’ behalf is
18 Defendants’ assertion, supported by a sworn declaration by Michael York, that they were
19 surprised when Fazio’s opposition did not make arguments on Defendants’ behalf. This
20 representation is clearly false. It is simply not credible that York (and by extension, Defendants)
21 believed Fazio and the DeHeng Law Offices intended to submit an opposition on Defendants’
22 behalf when York had explicitly told the attorneys at the De Heng Law Offices in his July 3 email
23 that they were not authorized to respond on Defendants behalf. The Court further concludes that
24 York’s omission of this email from the exhibit containing the two other emails exchanged on July
25 3 was intentional and was aimed at creating a false impression that the DeHeng Law Offices had
26 told WHGC that they would oppose the sanctions motion on their behalf.

27 Finally, Defendants offered no explanation whatsoever for failing to request an extension
28 of their deadline to file their opposition brief.

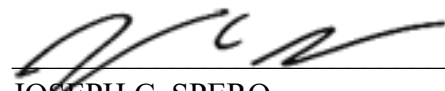
The conduct of Defendants' current counsel is egregious and warrants the imposition of monetary sanctions. SinCo has supplied a declaration documenting the attorneys' fees that it incurred as a result of Defendants' failure to file a timely opposition and failure to request that the Court extend the briefing deadlines, in the amount of \$4,654.00. *See* Docket No. 243-1. Although these fees were for work on the motion to strike that the Court denied, the undersigned finds that it is appropriate to award all of the fees requested by SinCo. SinCo's motion to strike would not have been filed if Defendants' counsel had followed the Court's rules and extended to opposing counsel the basic courtesy that is expected of members of the bar who practice before this Court. As that motion was a reasonable response to Defendants' late opposition brief, it is appropriate that they recover from Defendants the fees incurred in connection with that motion. Therefore, the Court exercises its inherent authority to impose sanctions on Defendants in the form of an award of attorneys' fees, in the amount of \$4,654.00, payable to SinCo.

IV. CONCLUSION

The Sanctions Motion is GRANTED in part and DENIED in part. The Court awards \$5,000 in sanctions against Defendants and Fazio, payable to SinCo, on that motion. Of the \$5,000, Fazio shall pay \$1,500 from his personal funds. In addition, the Court awards \$4,654.00 against Defendants and WHGC, also payable to SinCo.

IT IS SO ORDERED.

Dated: September 3, 2019



JOSEPH C. SPERO
Chief Magistrate Judge

EXHIBIT 3

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

vs.

SINCO ELECTRONICS (DONGGUAN)
CO., LTD.; XINGKE ELECTRONICS
(DONGGUAN) CO., LTD; XINGKE
ELECTRONICS TECHNOLOGY CO.,
LTD.; MUI LIANG TJOA (an individual);
NG CHER YONG AKA CY NG; and LIEW
YEW SOON AKA MARK LIEW (an
individual),

Defendants.

CASE No. 17-cv-05517-EMC

DEFENDANT XINGKE ELECTRONICS
(DONGGUAN) CO'S RESPONSE TO
REQUEST FOR DOCUMENT
PRODUCTION SET ONE

JUDGE: HON. EDWARD M. CHEN

PROPOUNDING PARTY: PLAINTIFF SINCO TECHNOLOGIES PTE LTD.
RESPONDING PARTY: DEFENDANT XINGKE ELECTRONICS (DONGGUAN)
SET NO.: ONE

GENERAL OBJECTIONS

Responding Party asserts and incorporates by reference the following general objections to Plaintiff and Propounding Party Sinco Technologies PTE LTD.'s request for production of documents as though they were set forth in full in each response.

Responding Party objects to Plaintiff's request for production of documents on the ground that the requests are overly broad and unduly burdensome, and on the ground that Plaintiff seek documents protected from disclosure by the attorney-client privilege, attorney work product doctrine, and other applicable privileges. Inadvertent disclosure of privileged information is not intended to be, any may not be construed as, a waiver of any applicable privilege. The existence of, date of, and frequency of, attorney-client communications are subject to privilege and will not be listed on privilege logs.

Responding Party object to Plaintiffs' request for production of documents on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to Plaintiff's request for production of documents on the ground that Plaintiff has not filed a CCP §2019.210 statement to identify the allegedly misappropriated trade secret in the Federal court, and Plaintiff's CCP §2019.210 statement filed in the related case in the State Court does not identify the allegedly misappropriated trade secret with reasonable particularity, which makes it impossible for the Parties or the Court to know, with any degree of certainty, whether discovery is relevant or not.

Responding Party objects to Plaintiff's request for production of documents on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to each and every Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

This response is made without waiver of, and with express reservation of all questions as to

1 competency, relevancy, materiality, and admissibility of the responses to document requests as evidence
2 for any purpose in any further proceedings in this action (including the trial of this action) or in any other
3 action.

4 Responding Party objects Plaintiff's request for production of documents on the ground they attempt
5 to impose obligations that are inconsistent with, or beyond the scope of, those imposed by or authorized under
6 the Federal Rules of Civil Procedure or other applicable law.

7 Responding Party objects to Plaintiff's request for production of documents on the ground they seek
8 documents or information in the possession, custody, or control of entities or persons other than Responding
9 Party.

10 Responding Party objects to Plaintiff's request for production of documents on the ground they seek
11 documents or information that no longer exists or has otherwise been lost, misplaced, or destroyed.

12 The Responding Party objects to Plaintiff's request to the extent that they are unreasonably
13 cumulative or duplicative, or can be obtained from some other source that is more convenient, less
14 burdensome, or less expensive.

15 Responding Party objects to Plaintiff's request for production of documents on the ground they are
16 unduly burdensome to the extent that they seek documents previously produced to the Plaintiffs and their
17 attorneys and/or are publicly available on the Internet. Responding to such requests would be oppressive,
18 unduly burdensome, and unnecessarily expensive, and the burden of responding to such requests is
19 substantially the same or less for the Plaintiffs as for the Defendants.

20 Responding Party's objections and responses to Plaintiffs' request for production of documents are
21 based upon the information presently known by the Responding Party, and are made without prejudice to the
22 Responding Party's right to assert additional objections in the event that additional grounds for objections
23 should be discovered by the Responding Party subsequent to this response. Without waiving the above
24 objections, Responding Party will provide responses to relevant, non-privileged matters based on information
25 currently available to it, subject only to the requirements for supplementation of responses contained in Fed.
26 R. Civ. P. 26(e).

Specific Objection and Responses

Request for Production No. 1:

All DOCUMENTS referred to, relied on or identified by YOU in YOUR responses to Plaintiff's First Set of Interrogatories

Response to Request for Production No. 1:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as *only* referring to Responding Party, and *not* also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.

7 Without waiving any objections, Responding Party responds: responsive and non-privileged
8 documents that have been located through reasonable and diligent search have been produced, see
9 ML0000001-ML0015957, NG0000001-NG0004901. Any additional responsive and non-privileged
10 documents will be produced on a rolling basis, subject to the protective order and the E-discovery
11 protocol.

12
13 **Request for Production No. 2:**

14 Each and every COMMUNICATION to andylin@google.com from January 1, 2013 to present.
15 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.

21
22
23 **Response to Request for Production No. 2:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7
8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.

15
16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.

24
25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 3:**

14 Each and every COMMUNICATION to kenloo@google.com from January 1, 2013 to present.
15 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 3:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 4:**

14 Each and every COMMUNICATION to lmavet@google.com from January 1, 2013 to present.
15 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 4:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding responds: Responding Party will produce non-
26 privileged responsive documents in his possession and control. Privileged documents will be identified
27 on a privilege log.
28

Responding Party will promptly provide Google a copy of the Stipulated Protective Order in this litigation, the relevant discovery request(s), and a reasonably specific description of the information requested, and make the information requested available for inspection by Google . If Google fails to object or seek a protective order from the court within reasonable time upon receiving the notice and accompanying information, Responding Party will produce non-privileged documents responsive to this discovery request in his possession and control, on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log. If Google seeks a protective order, the Responding Party will not produce any documents in his possession or control that is subject to the confidentiality agreement before a determination by the Court.

Request for Production No. 5:

Each and every COMMUNICATION to vivsaini@google.com from January 1, 2013 to present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 5:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7
8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.

15
16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.

24
25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.

Responding Party will promptly provide Google a copy of the Stipulated Protective Order in this litigation, the relevant discovery request(s), and a reasonably specific description of the information requested, and make the information requested available for inspection by Google. If Google fails to object or seek a protective order from the court within reasonable time upon receiving the notice and accompanying information, Responding Party will produce non-privileged documents responsive to this discovery request in his possession and control, on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log. If Google seeks a protective order, the Responding Party will not produce any documents in his possession or control that is subject to the confidentiality agreement before a determination by the Court.

Request for Production No. 6:

Each and every COMMUNICATION to tressascott@google.com from January 1, 2013 to present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 6:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7
8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.

15
16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.

24
25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 7:**

14 Each and every COMMUNICATION to angelagosto@google.com from January 1, 2013 to
15 present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 7:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 8:**

14 Each and every COMMUNICATION to mwilson@google.com from January 1, 2013 to
15 present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 8:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 9:**

14 Each and every COMMUNICATION to flmartinez@google.com from January 1, 2013 to
15 present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 9:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 10:**

14 Each and every COMMUNICATION to manasit@google.com from January 1, 2013 to present.
15 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 10:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7
8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.

15
16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.

24
25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 11:**

14 Each and every COMMUNICATION to juandelaluz@google.com from January 1, 2013 to
15 present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 11:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 12:**

14 Each and every COMMUNICATION to jboilard@google.com from January 1, 2013 to present.
15 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 12:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
13 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Google . If
4 Google fails to object or seek a protective order from the court within reasonable time upon receiving
5 the notice and accompanying information, Responding Party will produce non-privileged documents
6 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
7 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
8 If Google seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 13:**

14 Each and every COMMUNICATION to ella.wang@fabritech.com from January 1, 2013 to
15 present. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
16 electronic form, the data be produced on a compact disc in a manner capable of use in the application
17 as it is maintained by YOU, for example, if the electronic communication was received or generated in
18 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
19 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
20 to, CC, and from.
21

22
23 **Response to Request for Production No. 13:**

24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27
28

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.
7

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.
15

16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.
24

25 Without waiving any objections, Responding Party responds: Responding Party will produce
26 non-privileged responsive documents in his possession and control. Privileged documents will be
27 identified on a privilege log.
28

1 Responding Party will promptly provide Fabritech a copy of the Stipulated Protective Order in
2 this litigation, the relevant discovery request(s), and a reasonably specific description of the
3 information requested, and make the information requested available for inspection by Fabritech . If
4 Fabritech fails to object or seek a protective order from the court within reasonable time upon
5 receiving the notice and accompanying information, Responding Party will produce non-privileged
6 documents responsive to this discovery request in his possession and control, on a rolling basis, subject
7 to the Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege
8 log. If Fabritech seeks a protective order, the Responding Party will not produce any documents in his
9 possession or control that is subject to the confidentiality agreement before a determination by the
10 Court.
11

12
13 **Request for Production No. 14:**

14 Each and every COMMUNICATION from mltjoa@koti.com.cn to an individual in the United
15 States from January 1, 2016 to present that contain the word “sinco,” in any form or language.
16

17 **Response to Request for Production No. 14:**

18 Responding Party objects to Propounding Party’s use of “YOU” and/or “YOUR” as vague and
19 ambiguous as it is defined and used in this request. Responding Party will interpret “YOU” and/or
20 “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf
21 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
22 objected to since they appear to require responses from Responding Party that are protected by work
23 product and attorney-client privilege.
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28

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Responsive and non-privileged
23 Documents have been produced, see ML0000001 – ML0015957. Discovery is ongoing. Any additional
24 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
25 order and E-discovery protocol.

26 **Request for Production No. 15:**
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Each and every COMMUNICATION to mltjoa@koti.com.cn to an individual in the United States from January 1, 2016 to present that contain the word “sinco,” in any form or language. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 15:

Responding Party objects to Propounding Party’s use of “YOU” and/or “YOUR” as vague and ambiguous as it is defined and used in this request. Responding Party will interpret “YOU” and/or “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responsive and non-privileged
12 Documents have been produced, see ML0000001 – ML0015957. Discovery is ongoing. Any additional
13 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
14 order and E-discovery protocol.

15 **Request for Production No. 16:**

16 Each and every COMMUNICATION from liewyewsoon@sinco.cn to a customer
17 individual in the United States from January 1, 2010 to present that contain the word "sinco," in any
18 form or language. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is
19 available in electronic form, the data be produced on a compact disc in a manner capable of use in the
20 application as it is maintained by YOU, for example, if the electronic communication was received or
21 generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of
22 use in the Microsoft Outlook application including any and all metadata fields as to the date of
23 creation, response, to, CC, and from.

Response to Request for Production No. 16:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this

1 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
2 the propounded discovery is proper in scope or not.

3 Without waiving any objections, Responding Party responds: Responsive and non-privileged
4 Documents have been produced, see Mark Liew's production. Discovery is ongoing. Any additional
5 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
6 order and E-discovery protocol.
7

8 **Request for Production No. 17:**

9 Each and every COMMUNICATION to liewyewsoon@sincocn.com from a customer in the
10 United States from January 1, 2010 to present that contain the word "sinco," in any form or language.
11 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
12 electronic form, the data be produced on a compact disc in a manner capable of use in the application
13 as it is maintained by YOU, for example, if the electronic communication was received or generated in
14 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
15 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
16 to, CC, and from.
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19 **Response to Request for Production No. 17:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.
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1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.

11
12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.

14
15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.

21
22 Without waiving any objections, Responding Party responds: Responsive and non-privileged
23 Documents have been produced, see Mark Liew's production. Discovery is ongoing. Any additional
24 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
25 order and E-discovery protocol.

26 **Request for Production No. 18:**
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Each and every COMMUNICATION from markliew2002@yahoo.com.sg to a customer individual in the United States from January 1, 2010 to present that contain the word “sinco,” in any form or language. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 18:

Responding Party objects to Propounding Party’s use of “YOU” and/or “YOUR” as vague and ambiguous as it is defined and used in this request. Responding Party will interpret “YOU” and/or “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responsive and non-privileged
12 Documents have been produced, see Mark Liew's production. Discovery is ongoing. Any additional
13 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
14 order and E-discovery protocol.

15 **Request for Production No. 19:**

16 Each and every COMMUNICATION to markliew2002@yahoo.com.sg from a customer in the
17 United States from January 1, 2010 to present that contain the word "sinco," in any form or language.
18 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
19 electronic form, the data be produced on a compact disc in a manner capable of use in the application
20 as it is maintained by YOU, for example, if the electronic communication was received or generated in
21 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
22 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
23 to, CC, and from.

Response to Request for Production No. 19:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this

1 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
2 the propounded discovery is proper in scope or not.

3 Without waiving any objections, Responding Party responds: Responsive and non-privileged
4 Documents have been produced, see Mark Liew's production. Discovery is ongoing. Any additional
5 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
6 order and E-discovery protocol.

7
8 **Request for Production No. 20:**

9 Each and every COMMUNICATION from markliew2002@xingcn.com to a customer
10 individual in the United States from January 1, 2017 to present that contain the word "sinco," in any
11 form or language. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is
12 available in electronic form, the data be produced on a compact disc in a manner capable of use in the
13 application as it is maintained by YOU, for example, if the electronic communication was received or
14 generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of
15 use in the Microsoft Outlook application including any and all metadata fields as to the date of
16 creation, response, to, CC, and from.

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18
19 **Response to Request for Production No. 20:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Responsive and non-privileged
23 Documents have been produced, see Mark Liew's production. Discovery is ongoing. Any additional
24 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
25 order and E-discovery protocol.

26 **Request for Production No. 21:**
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Each and every COMMUNICATION to markliew2002@xingcn.com from a customer individual in the United States from January 1, 2017 to present that contain the word “sinco,” in any form or language. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 21:

Responding Party objects to Propounding Party’s use of “YOU” and/or “YOUR” as vague and ambiguous as it is defined and used in this request. Responding Party will interpret “YOU” and/or “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responding Party responds:
12 Responsive and non-privileged Documents have been produced, see Mark Liew's production.
13 Discovery is ongoing. Any additional responsive and non-privileged documents will be produced on a
14 rolling basis, subject to the protective order and E-discovery protocol.

15 **Request for Production No. 22:**

16 Each and every COMMUNICATION from ngyiming@sincocn.com to a customer in the United
17 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
18 information is available in electronic form, the data be produced on a compact disc in a manner capable
19 of use in the application as it is maintained by YOU, for example, if the electronic communication was
20 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
21 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
22 of creation, response, to, CC, and from.

23 **Response to Request for Production No. 22:**

1 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
2 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
3 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
4 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
5 objected to since they appear to require responses from Responding Party that are protected by work
6 product and attorney-client privilege.
7

8 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
9 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the ground that it seeks Responding Party and
12 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
13 disclosure of which would unduly and improperly invade its protected rights. Responding Party
14 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
15 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
16 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
17 confidentiality of such information.
18

19 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
20 and unduly burdensome.
21

22 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
23 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
24 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
25 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
26 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
27 the propounded discovery is proper in scope or not.
28

1 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
2 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
3 order and E-discovery protocol.

4 **Request for Production No. 23:**

5
6 Each and every COMMUNICATION to ngyiming@sincocn.com from a customer in the United
7 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
8 information is available in electronic form, the data be produced on a compact disc in a manner capable
9 of use in the application as it is maintained by YOU, for example, if the electronic communication was
10 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
11 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
12 of creation, response, to, CC, and from.

13
14 **Response to Request for Production No. 23:**

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16 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
17 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
18 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
19 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
20 objected to since they appear to require responses from Responding Party that are protected by work
21 product and attorney-client privilege.

22
23 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
24 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
25 reasonably calculated to lead to the discovery of admissible evidence.

26
27 Responding Party objects to this request on the ground that it seeks Responding Party and
28 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the

1 disclosure of which would unduly and improperly invade its protected rights. Responding Party
2 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
3 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
4 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
5 confidentiality of such information.

6
7 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
8 and unduly burdensome.

9 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
10 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
11 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
12 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
13 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
14 the propounded discovery is proper in scope or not.
15

16 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
17 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
18 order and E-discovery protocol.

19 **Request for Production No. 24:**

20
21 Each and every COMMUNICATION from ymng@xingkecn.com to a customer in the United
22 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
23 information is available in electronic form, the data be produced on a compact disc in a manner capable
24 of use in the application as it is maintained by YOU, for example, if the electronic communication was
25 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
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1 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
2 of creation, response, to, CC, and from.

3
4 **Response to Request for Production No. 24:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party respond: Discovery is ongoing. Any
6 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
7 order and E-discovery protocol.

8
9 **Request for Production No. 25:**

10 Each and every COMMUNICATION to ymng@xingkecn.com from a customer in the United
11 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
12 information is available in electronic form, the data be produced on a compact disc in a manner capable
13 of use in the application as it is maintained by YOU, for example, if the electronic communication was
14 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
15 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
16 of creation, response, to, CC, and from.

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19 **Response to Request for Production No. 25:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.

11 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
12 and unduly burdensome.

13 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
14 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
15 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
16 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
17 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
18 the propounded discovery is proper in scope or not.

19 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
20 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
21 order and E-discovery protocol.

22 **Request for Production No. 26:**

1 Each and every COMMUNICATION from engineering@sincocn.com to a customer in the
2 United States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where
3 the information is available in electronic form, the data be produced on a compact disc in a manner
4 capable of use in the application as it is maintained by YOU, for example, if the electronic
5 communication was received or generated in Microsoft Outlook, the data should be produced on a
6 compact disc in a manner capable of use in the Microsoft Outlook application including any and all
7 metadata fields as to the date of creation, response, to, CC, and from.
8

9 **Response to Request for Production No. 26:**

10 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
11 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
12 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
13 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
14 objected to since they appear to require responses from Responding Party that are protected by work
15 product and attorney-client privilege.
16

17 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
18 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
19 reasonably calculated to lead to the discovery of admissible evidence.
20

21 Responding Party objects to this request on the ground that it seeks Responding Party and
22 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
23 disclosure of which would unduly and improperly invade its protected rights. Responding Party
24 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
25 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
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1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party respond: Discovery is ongoing. Any
12 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
13 order and E-discovery protocol.
14

15 **Request for Production No. 27:**

16 Each and every COMMUNICATION to engineering@sincocn.com from a customer in the
17 United States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where
18 the information is available in electronic form, the data be produced on a compact disc in a manner
19 capable of use in the application as it is maintained by YOU, for example, if the electronic
20 communication was received or generated in Microsoft Outlook, the data should be produced on a
21 compact disc in a manner capable of use in the Microsoft Outlook application including any and all
22 metadata fields as to the date of creation, response, to, CC, and from.
23

24 **Response to Request for Production No. 27:**

1 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
2 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
3 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
4 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
5 objected to since they appear to require responses from Responding Party that are protected by work
6 product and attorney-client privilege.

7
8 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
9 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the ground that it seeks Responding Party and
12 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
13 disclosure of which would unduly and improperly invade its protected rights. Responding Party
14 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
15 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
16 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
17 confidentiality of such information.

18
19 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
20 and unduly burdensome.

21 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
22 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
23 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
24 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
25 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
26 the propounded discovery is proper in scope or not.
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1 Without waiving any objections, Responding Party respond: Discovery is ongoing. Any
2 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
3 order and E-discovery protocol.

4 **Request for Production No. 28:**
5

6 Each and every COMMUNICATION from engineering@xingkecn.com to a customer in the
7 United States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where
8 the information is available in electronic form, the data be produced on a compact disc in a manner
9 capable of use in the application as it is maintained by YOU, for example, if the electronic
10 communication was received or generated in Microsoft Outlook, the data should be produced on a
11 compact disc in a manner capable of use in the Microsoft Outlook application including any and all
12 metadata fields as to the date of creation, response, to, CC, and from.
13

14 **Response to Request for Production No. 28:**
15

16 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
17 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
18 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
19 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
20 objected to since they appear to require responses from Responding Party that are protected by work
21 product and attorney-client privilege.
22

23 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
24 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
25 reasonably calculated to lead to the discovery of admissible evidence.

26 Responding Party objects to this request on the ground that it seeks Responding Party and
27 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
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1 disclosure of which would unduly and improperly invade its protected rights. Responding Party
2 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
3 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
4 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
5 confidentiality of such information.

6
7 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
8 and unduly burdensome.

9 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
10 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
11 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
12 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
13 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
14 the propounded discovery is proper in scope or not.
15

16 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
17 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
18 order and E-discovery protocol.
19

20 **Request for Production No. 29:**
21

22 Each and every COMMUNICATION to engineering@xingkeen.com from a customer in the
23 United States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where
24 the information is available in electronic form, the data be produced on a compact disc in a manner
25 capable of use in the application as it is maintained by YOU, for example, if the electronic
26 communication was received or generated in Microsoft Outlook, the data should be produced on a
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compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 29:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
6 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
7 order and E-discovery protocol.

8
9 **Request for Production No. 30:**

10 Each and every COMMUNICATION from cyng@sincocn.com to a customer in the United
11 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
12 information is available in electronic form, the data be produced on a compact disc in a manner capable
13 of use in the application as it is maintained by YOU, for example, if the electronic communication was
14 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
15 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
16 of creation, response, to, CC, and from.

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19 **Response to Request for Production No. 30:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Responsive and non-privileged
23 documents have been produced. See NG0000001 – NG00004091. Discovery is ongoing. Any
24 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
25 order and E-discovery protocol.

26 **Request for Production No. 31:**
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1 Each and every COMMUNICATION to cyng@sincocn.com from a customer in the United
2 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
3 information is available in electronic form, the data be produced on a compact disc in a manner capable
4 of use in the application as it is maintained by YOU, for example, if the electronic communication was
5 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
6 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
7 of creation, response, to, CC, and from.
8

9
10 **Response to Request for Production No. 31:**

11 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
12 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
13 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
14 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
15 objected to since they appear to require responses from Responding Party that are protected by work
16 product and attorney-client privilege.

17 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
18 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
19 reasonably calculated to lead to the discovery of admissible evidence.
20

21 Responding Party objects to this request on the ground that it seeks Responding Party and
22 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
23 disclosure of which would unduly and improperly invade its protected rights. Responding Party
24 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
25 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
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1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responsive and non-privileged
12 documents have been produced. See NG00000001 – NG00004091. Discovery is ongoing. Any
13 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
14 order and E-discovery protocol.

15 **Request for Production No. 32:**

16 Each and every COMMUNICATION from cyng@koti.com.cn to a customer in the United
17 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
18 information is available in electronic form, the data be produced on a compact disc in a manner capable
19 of use in the application as it is maintained by YOU, for example, if the electronic communication was
20 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
21 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
22 of creation, response, to, CC, and from.

23 **Response to Request for Production No. 32:**

1 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
2 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
3 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
4 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
5 objected to since they appear to require responses from Responding Party that are protected by work
6 product and attorney-client privilege.
7

8 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
9 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the ground that it seeks Responding Party and
12 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
13 disclosure of which would unduly and improperly invade its protected rights. Responding Party
14 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
15 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
16 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
17 confidentiality of such information.
18

19 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
20 and unduly burdensome.
21

22 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
23 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
24 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
25 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
26 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
27 the propounded discovery is proper in scope or not.
28

Without waiving any objections, Responding Party responds: Responsive and non-privileged documents have been produced. See NG00000001 – NG00004091. Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling basis, subject to the protective order and E-discovery protocol.

Request for Production No. 33:

Each and every COMMUNICATION to cying@kctl.com.cn from a customer in the United States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 33:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects to this request on the ground that it seeks Responding Party and
2 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
3 disclosure of which would unduly and improperly invade its protected rights. Responding Party
4 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
5 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
6 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
7 confidentiality of such information.
8

9 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
10 and unduly burdensome.

11 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
12 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
13 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
14 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
15 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
16 the propounded discovery is proper in scope or not.
17

18 Without waiving any objections, Responding Party responds: Responsive and non-privileged
19 documents have been produced. See NG0000001 – NG00004091. Discovery is ongoing. Any
20 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
21 order and E-discovery protocol.
22

23 **Request for Production No. 34:**

24 Each and every COMMUNICATION from tom.chen@sincoo.cn to a customer in the United
25 States from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the
26 information is available in electronic form, the data be produced on a compact disc in a manner capable
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1 of use in the application as it is maintained by YOU, for example, if the electronic communication was
2 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
3 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
4 of creation, response, to, CC, and from.

5
6 **Response to Request for Production No. 34:**

7 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
8 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
9 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
10 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
11 objected to since they appear to require responses from Responding Party that are protected by work
12 product and attorney-client privilege.

13
14 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
15 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
16 reasonably calculated to lead to the discovery of admissible evidence.

17 Responding Party objects to this request on the ground that it seeks Responding Party and
18 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
19 disclosure of which would unduly and improperly invade its protected rights. Responding Party
20 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
21 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
22 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
23 confidentiality of such information.

24
25 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
26 and unduly burdensome.

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.
7

8 Without waiving any objections, Responding Party responds: Responding Party cannot comply
9 with request because such documents are not in the possession or control of the Responding Party.
10

11 **Request for Production No. 35:**
12

13 Each and every COMMUNICATION from ec.hu@sincoo.cn to a customer in the United States
14 from January 1, 2010. PROPOUNDING PARTY elects under FRCP 34(b) that where the information
15 is available in electronic form, the data be produced on a compact disc in a manner capable of use in
16 the application as it is maintained by YOU, for example, if the electronic communication was received
17 or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable
18 of use in the Microsoft Outlook application including any and all metadata fields as to the date of
19 creation, response, to, CC, and from.
20

21 **Response to Request for Production No. 35:**
22

23 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
24 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
25 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
26 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
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28

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Responding Party cannot comply
25 with request because such documents are not in the possession or control of the Responding Party.

26
27 **Request for Production No. 36:**

1 All DOCUMENT memorializing an agreement between YOU and a United States customer
2 from January 1010 to the present. PROPOUNDING PARTY elects under FRCP 34(b) that where the
3 information is available in electronic form, the data be produced on a compact disc in a manner capable
4 of use in the application as it is maintained by YOU, for example, if the electronic communication was
5 received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner
6 capable of use in the Microsoft Outlook application including any and all metadata fields as to the date
7 of creation, response, to, CC, and from.
8

9 **Response to Request for Production No. 36:**

10 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
11 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
12 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
13 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
14 objected to since they appear to require responses from Responding Party that are protected by work
15 product and attorney-client privilege.
16

17 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
18 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
19 reasonably calculated to lead to the discovery of admissible evidence.
20

21 Responding Party objects to this request on the ground that it seeks Responding Party and
22 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
23 disclosure of which would unduly and improperly invade its protected rights. Responding Party
24 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
25 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
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1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responsive and non-privileged
12 documents have been produced. See NG0000001 – NG00004091; ML0000001 – ML0015957.
13 Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling
14 basis, subject to the protective order and E-discovery protocol.

15 **Request for Production No. 37:**

16 All DOCUMENTS contained in the files maintained by YOU relating to the employment of NG
17 CHER YONG.

18 **Response to Request for Production No. 37:**

19 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
20 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
21 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
22 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
23

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Responsive and non-privileged
25 documents have been produced. See NG0000001 – NG00004091. Discovery is ongoing. Any
26 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
27 order and E-discovery protocol.

1 **Request for Production No. 38:**

2 All DOCUMENTS contained in the files maintained by YOU relating to the employment of
3 LIEW YEW SOON.
4

5 **Response to Request for Production No. 38:**

6 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
7 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
8 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
9 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
10 objected to since they appear to require responses from Responding Party that are protected by work
11 product and attorney-client privilege.
12

13 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
14 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
15 reasonably calculated to lead to the discovery of admissible evidence.
16

17 Responding Party objects to this request on the ground that it seeks Responding Party and
18 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
19 disclosure of which would unduly and improperly invade its protected rights. Responding Party
20 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
21 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
22 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
23 confidentiality of such information.
24

25 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
26 and unduly burdensome.
27
28

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.
7

8 Without waiving any objections, Responding Party responds: Responsive and non-privileged
9 documents have been produced. See Mark Liew's production. Discovery is ongoing. Any responsive
10 and non-privileged documents will be produced on a rolling basis, subject to the protective order and
11 E-discovery protocol.

12 **Request for Production No. 39:**
13

14 All DOCUMENTS contained in the files maintained by YOU relating to the employment of
15 Quek Seow Eng.
16

17 **Response to Request for Production No. 39:**

18 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
19 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
20 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
21 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
22 objected to since they appear to require responses from Responding Party that are protected by work
23 product and attorney-client privilege.
24

25 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
26 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
27 reasonably calculated to lead to the discovery of admissible evidence.
28

1 Responding Party objects to this request on the ground that it seeks Responding Party and
2 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
3 disclosure of which would unduly and improperly invade its protected rights. Responding Party
4 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
5 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
6 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
7 confidentiality of such information.
8

9 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
10 and unduly burdensome.

11 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
12 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
13 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
14 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
15 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
16 the propounded discovery is proper in scope or not.
17

18 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
19 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
20 order and E-discovery protocol.
21

22 **Request for Production No. 40:**

23 All DOCUMENTS contained in the files maintained by YOU relating to the employment of Ng
24 Yi Ming.
25

26 **Response to Request for Production No. 40:**
27
28

1 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
2 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
3 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
4 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
5 objected to since they appear to require responses from Responding Party that are protected by work
6 product and attorney-client privilege.
7

8 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
9 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the ground that it seeks Responding Party and
12 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
13 disclosure of which would unduly and improperly invade its protected rights. Responding Party
14 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
15 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
16 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
17 confidentiality of such information.
18

19 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
20 and unduly burdensome.
21

22 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
23 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
24 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
25 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
26 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
27 the propounded discovery is proper in scope or not.
28

Without waiving any objections, Responding Party responds: Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling basis, subject to the protective order and E-discovery protocol.

Request for Production No. 41:

All DOCUMENTS contained in the files maintained by YOU relating to the employment of Yang DaRui.

Response to Request for Production No. 41:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

1 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
2 and unduly burdensome.

3 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
4 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
5 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
6 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
7 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
8 the propounded discovery is proper in scope or not.
9

10 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
11 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
12 order and E-discovery protocol.
13

14
15 **Request for Production No. 42:**

16 All DOCUMENTS contained in the files maintained by YOU relating to the employment of
17 Lim Chin Huan.
18

19 **Response to Request for Production No. 42:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.
26
27
28

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
23 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
24 order and E-discovery protocol.

25 **Request for Production No. 43:**
26
27
28

1 All DOCUMENTS contained in the files maintained by YOU relating to the employment of
2 Sim Teck Beng.

3
4 **Response to Request for Production No. 43:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
6 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
7 order and E-discovery protocol.
8

9 **Request for Production No. 44:**

10 All DOCUMENTS contained in the files maintained by YOU relating to the employment of
11 Gao Bingyi.
12

13 **Response to Request for Production No. 44:**

14 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
15 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
16 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
17 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
18 objected to since they appear to require responses from Responding Party that are protected by work
19 product and attorney-client privilege.
20

21 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
22 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
23 reasonably calculated to lead to the discovery of admissible evidence.
24

25 Responding Party objects to this request on the ground that it seeks Responding Party and
26 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
27 disclosure of which would unduly and improperly invade its protected rights. Responding Party
28

1 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
2 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
3 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
4 confidentiality of such information.

5 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
6 and unduly burdensome.

7 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
8 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
9 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
10 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
11 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
12 the propounded discovery is proper in scope or not.

13 Without waiving any objections, Responding Party responds: Responsive and non-privileged
14 documents have been produced. See NG0000001 – NG00004091; ML0000001 – ML0015957.
15 Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling
16 basis, subject to the protective order and E-discovery protocol.

17 **Request for Production No. 45:**

18 All supply agreements that YOU have entered into with Plaintiff SinCo from 2005 to 2016.

19 **Response to Request for Production No. 45:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Any responsive and non-
25 privileged documents will be produced on a rolling basis, subject to the protective order and E-
26 discovery protocol.

27 **Request for Production No. 46:**

1 Produce all DOCUMENTS in YOUR possession and control memorializing email
2 communications received by YOU or sent by YOU to Intel Corporation in the last thirty six months.
3 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
4 electronic form, the data be produced on a compact disc in a manner capable of use in the application
5 as it is maintained by YOU, for example, if the electronic communication was received or generated in
6 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
7 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
8 to, CC, and from.
9

10 **Response to Request for Production No. 46:**
11

12 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
13 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
14 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
15 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
16 objected to since they appear to require responses from Responding Party that are protected by work
17 product and attorney-client privilege.
18

19 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
20 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
21 reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the ground that it seeks Responding Party and
23 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
24 disclosure of which would unduly and improperly invade its protected rights. Responding Party
25 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
26 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
27
28

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responding Party will produce
12 non-privileged responsive documents in his possession and control. Privileged documents will be
13 identified on a privilege log.
14

15 Responding Party will promptly provide Intel Corporation a copy of the Stipulated Protective
16 Order in this litigation, the relevant discovery request(s), and a reasonably specific description of the
17 information requested, and make the information requested available for inspection by Intel
18 Corporation . If Intel Corporation fails to object or seek a protective order from the court within
19 reasonable time upon receiving the notice and accompanying information, Responding Party will
20 produce non-privileged documents responsive to this discovery request in his possession and control,
21 on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged documents will
22 be identified on a privilege log. If Intel Corporation seeks a protective order, the Responding Party will
23 not produce any documents in his possession or control that is subject to the confidentiality agreement
24 before a determination by the Court.
25

26
27 **Request for Production No. 47:**
28

1 Produce all DOCUMENTS in YOUR possession and control memorializing email
2 communications received by YOU or sent by YOU to Google LLC in the last thirty six months.
3 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
4 electronic form, the data be produced on a compact disc in a manner capable of use in the application
5 as it is maintained by YOU, for example, if the electronic communication was received or generated in
6 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
7 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
8 to, CC, and from.
9

10 **Response to Request for Production No. 47:**
11

12 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
13 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
14 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
15 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
16 objected to since they appear to require responses from Responding Party that are protected by work
17 product and attorney-client privilege.
18

19 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
20 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
21 reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the ground that it seeks Responding Party and
23 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
24 disclosure of which would unduly and improperly invade its protected rights. Responding Party
25 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
26 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
27
28

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responding Party will produce
12 non-privileged responsive documents in his possession and control. Privileged documents will be
13 identified on a privilege log.
14

15 Responding Party will promptly provide Google a copy of the Stipulated Protective Order in
16 this litigation, the relevant discovery request(s), and a reasonably specific description of the
17 information requested, and make the information requested available for inspection by Google . If
18 Google fails to object or seek a protective order from the court within reasonable time upon receiving
19 the notice and accompanying information, Responding Party will produce non-privileged documents
20 responsive to this discovery request in his possession and control, on a rolling basis, subject to the
21 Protective Order and E-discovery protocol. Privileged documents will be identified on a privilege log.
22 If Google seeks a protective order, the Responding Party will not produce any documents in his
23 possession or control that is subject to the confidentiality agreement before a determination by the
24 Court.
25

26 **Request for Production No. 48:**
27

1 Produce all DOCUMENTS in YOUR possession and control memorializing email
2 communications received by YOU or sent by YOU to Google Asia Pacific Pte. Ltd., in the last thirty
3 six months. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is
4 available in electronic form, the data be produced on a compact disc in a manner capable of use in the
5 application as it is maintained by YOU, for example, if the electronic communication was received or
6 generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of
7 use in the Microsoft Outlook application including any and all metadata fields as to the date of
8 creation, response, to, CC, and from.
9

10 **Response to Request for Production No. 48:**
11

12 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
13 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
14 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
15 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
16 objected to since they appear to require responses from Responding Party that are protected by work
17 product and attorney-client privilege.
18

19 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
20 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
21 reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the ground that it seeks Responding Party and
23 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
24 disclosure of which would unduly and improperly invade its protected rights. Responding Party
25 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
26 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
27
28

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responding Party will produce
12 non-privileged responsive documents in his possession and control. Privileged documents will be
13 identified on a privilege log.

14 Responding Party will promptly provide Google Asia Pacific Pte. Ltd a copy of the Stipulated
15 Protective Order in this litigation, the relevant discovery request(s), and a reasonably specific
16 description of the information requested, and make the information requested available for inspection
17 by Google Asia Pacific Pte. Ltd . If Google Asia Pacific Pte. Ltd fails to object or seek a protective
18 order from the court within reasonable time upon receiving the notice and accompanying information,
19 Responding Party will produce non-privileged documents responsive to this discovery request in his
20 possession and control, on a rolling basis, subject to the Protective Order and E-discovery protocol.
21 Privileged documents will be identified on a privilege log. If Google Asia Pacific Pte. Ltd seeks a
22 protective order, the Responding Party will not produce any documents in his possession or control that
23 is subject to the confidentiality agreement before a determination by the Court.

Request for Production No. 49:

Produce all DOCUMENTS in YOUR possession and control memorializing email communications received by YOU or sent by YOU to Bose Corporation in the last thirty six months. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 49:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,

1 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
2 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
3 confidentiality of such information.

4 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
5 and unduly burdensome.

6 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
7 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
8 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
9 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
10 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
11 the propounded discovery is proper in scope or not.
12

13 Without waiving any objections, Responding Party responds: Responding Party will produce
14 non-privileged responsive documents in his possession and control. Privileged documents will be
15 identified on a privilege log.
16

17 Responding Party will promptly provide Bose Corporation a copy of the Stipulated Protective
18 Order in this litigation, the relevant discovery request(s), and a reasonably specific description of the
19 information requested, and make the information requested available for inspection by Bose
20 Corporation . If Bose Corporation fails to object or seek a protective order from the court within
21 reasonable time upon receiving the notice and accompanying information, Responding Party will
22 produce non-privileged documents responsive to this discovery request in his possession and control,
23 on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged documents will
24 be identified on a privilege log. If Bose Corporation seeks a protective order, the Responding Party
25 will not produce any documents in his possession or control that is subject to the confidentiality
26 agreement before a determination by the Court.
27
28

Request for Production No. 50:

Produce all DOCUMENTS in YOUR possession and control memorializing email communications received by YOU or sent by YOU to Apple Computer Inc., in the last thirty six months. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 50:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,

1 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
2 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
3 confidentiality of such information.

4 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
5 and unduly burdensome.

6 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
7 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
8 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
9 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
10 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
11 the propounded discovery is proper in scope or not.
12

13 Without waiving any objections, Responding Party responds: Responding Party will produce
14 non-privileged responsive documents in his possession and control. Privileged documents will be
15 identified on a privilege log.
16

17 Responding Party will promptly provide Apple Computer Inc. a copy of the Stipulated
18 Protective Order in this litigation, the relevant discovery request(s), and a reasonably specific
19 description of the information requested, and make the information requested available for inspection
20 by Apple Computer Inc. . If Apple Computer Inc. fails to object or seek a protective order from the
21 court within reasonable time upon receiving the notice and accompanying information, Responding
22 Party will produce non-privileged documents responsive to this discovery request in his possession and
23 control, on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged
24 documents will be identified on a privilege log. If Apple Computer Inc. seeks a protective order, the
25 Responding Party will not produce any documents in his possession or control that is subject to the
26 confidentiality agreement before a determination by the Court.
27
28

Request for Production No. 51:

Produce all DOCUMENTS in YOUR possession and control memorializing email communications received by YOU or sent by YOU to Motorola Mobility LLC in the last thirty six months. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 51:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,

1 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
2 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
3 confidentiality of such information.

4 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
5 and unduly burdensome.

6 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
7 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
8 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
9 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
10 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
11 the propounded discovery is proper in scope or not.
12

13 Without waiving any objections, Responding Party responds: Responding Party will produce
14 non-privileged responsive documents in his possession and control. Privileged documents will be
15 identified on a privilege log.
16

17 Responding Party will promptly provide Motorola Mobility LLC a copy of the Stipulated
18 Protective Order in this litigation, the relevant discovery request(s), and a reasonably specific
19 description of the information requested, and make the information requested available for inspection
20 by Motorola Mobility LLC . If Motorola Mobility LLC fails to object or seek a protective order from
21 the court within reasonable time upon receiving the notice and accompanying information, Responding
22 Party will produce non-privileged documents responsive to this discovery request in his possession and
23 control, on a rolling basis, subject to the Protective Order and E-discovery protocol. Privileged
24 documents will be identified on a privilege log. If Motorola Mobility LLC seeks a protective order,
25 the Responding Party will not produce any documents in his possession or control that is subject to the
26 confidentiality agreement before a determination by the Court.
27
28

Request for Production No. 52:

Produced all DOCUMENTS in YOUR possession and control memorializing trademark applications for “SinCo” filed on YOUR behalf or in YOUR name from 2010 to present in the United States. PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in electronic form, the data be produced on a compact disc in a manner capable of use in the application as it is maintained by YOU, for example, if the electronic communication was received or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the Microsoft Outlook application including any and all metadata fields as to the date of creation, response, to, CC, and from.

Response to Request for Production No. 52:

Responding Party objects to Propounding Party’s use of “YOU” and/or “YOUR” as vague and ambiguous as it is defined and used in this request. Responding Party will interpret “YOU” and/or “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party

1 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
2 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
3 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
4 confidentiality of such information.

5 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
6 and unduly burdensome.

7
8 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
9 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
10 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
11 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
12 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
13 the propounded discovery is proper in scope or not.

14
15 Without waiving any objections, Responding Party responds: Responsive and non-privileged
16 documents have been produced. See ML0000001 – ML0015957. Discovery is ongoing. Any
17 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
18 order and E-discovery protocol.

19 **Request for Production No. 53:**

20
21 Produced all DOCUMENTS in YOUR possession and control memorializing trademark
22 applications for "SinCo" filed on YOUR behalf or in YOUR name from 2010 to present in China.
23 PROPOUNDING PARTY elects under FRCP 34(b) that where the information is available in
24 electronic form, the data be produced on a compact disc in a manner capable of use in the application
25 as it is maintained by YOU, for example, if the electronic communication was received or generated in
26 Microsoft Outlook, the data should be produced on a compact disc in a manner capable of use in the
27

1 Microsoft Outlook application including any and all metadata fields as to the date of creation, response,
2 to, CC, and from.

3
4 **Response to Request for Production No. 53:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Responsive and non-privileged
6 documents have been produced. See ML0000001 – ML0015957. Discovery is ongoing. Any
7 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
8 order and E-discovery protocol.

9
10 **Request for Production No. 54:**

11
12 Each and every COMMUNICATION YOU maintain wherein this litigation was discussed or
13 referenced from December 1, 2016 to present, including but not limited to either the Superior Court of
14 California, County of Santa Clara, Case No. 16cv301867, or Norther District of California Action,
15 Case No. 17-cv-5517. PROPOUNDING PARTY elects under FRCP 34(b) that where the information
16 is available in electronic form, the data be produced on a compact disc in a manner capable of use in
17 the application as it is maintained by YOU, for example, if the electronic communication was received
18 or generated in Microsoft Outlook, the data should be produced on a compact disc in a manner capable
19 of use in the Microsoft Outlook application including any and all metadata fields as to the date of
20 creation, response, to, CC, and from.

21
22 **Response to Request for Production No. 54:**

23
24 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
25 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
26 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
27 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
28

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects to this request on the ground that it seeks Responding Party and
7 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
8 disclosure of which would unduly and improperly invade its protected rights. Responding Party
9 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
10 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
11 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
12 confidentiality of such information.

13 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
14 and unduly burdensome.

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.

21 Without waiving any objections, Responding Party responds: Responsive and non-privileged
22 documents have been produced. See NG0000001 – NG00004091; ML0000001 – ML0015957.
23 Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling
24 basis, subject to the protective order and E-discovery protocol.

1 **Request for Production No. 55:**

2 DOCUMENTS that memorialize Jin Long Machinery & Electronics Co., Ltd's acquisition and
3 ownership interest of Xingke.
4

5 **Response to Request for Production No. 55:**

6 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
7 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
8 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
9 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
10 objected to since they appear to require responses from Responding Party that are protected by work
11 product and attorney-client privilege.
12

13 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
14 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
15 reasonably calculated to lead to the discovery of admissible evidence.
16

17 Responding Party objects to this request on the ground that it seeks Responding Party and
18 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
19 disclosure of which would unduly and improperly invade its protected rights. Responding Party
20 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
21 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
22 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
23 confidentiality of such information.
24

25 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
26 and unduly burdensome.
27
28

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.
7

8 Without waiving any objections, Responding Party responds: Responsive and non-privileged
9 documents have been produced. See ML0000001 – ML0015957. Discovery is ongoing. Any
10 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
11 order and E-discovery protocol.
12

13
14 **Request for Production No. 56:**

15 Produce all written agreements YOU have with SINCOO ELECTRONICS TECHNOLOGY
16 CO., LTD.
17

18 **Response to Request for Production No. 56:**

19 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
20 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
21 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
22 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
23 objected to since they appear to require responses from Responding Party that are protected by work
24 product and attorney-client privilege.
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1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
23 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
24 order and E-discovery protocol.

25 **Request for Production No. 57:**

26 All marketing and promotional materials used by YOU with United States customers.
27
28

Response to Request for Production No. 57:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this

1 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
2 the propounded discovery is proper in scope or not.

3 Without waiving any objections, Responding Party responds: Responsive and non-privileged
4 documents have been produced. See NG00000001 – NG00004091; ML00000001 – ML0015957.
5 Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling
6 basis, subject to the protective order and E-discovery protocol.
7

8 **Request for Production No. 58:**

9 All purchase orders between YOU and United States customers from January 2012 to present.
10

11 **Response to Request for Production No. 58:**

12 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
13 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
14 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
15 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
16 objected to since they appear to require responses from Responding Party that are protected by work
17 product and attorney-client privilege.
18

19 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
20 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
21 reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the ground that it seeks Responding Party and
23 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
24 disclosure of which would unduly and improperly invade its protected rights. Responding Party
25 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
26 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
27
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1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Responsive and non-privileged
12 documents have been produced. See ML0000001 – ML0015957. Discovery is ongoing. Any
13 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
14 order and E-discovery protocol.

15 **Request for Production No. 59:**

16 All business projections for 新科电子(东莞)有限公司
17 that are in YOUR possession and control from January 2012 to the present.

18 **Response to Request for Production No. 59:**

19 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
20 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
21 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
22 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
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24
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1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Any responsive and non-
25 privileged documents will be produced on a rolling basis, subject to the protective order and E-
26 discovery protocol.

27 **Request for Production No. 60:**

1 All DOCUMENTS memorializing the revenue YOU received in 2018 for the manufacture of
2 parts for the Folgers Project.

3
4 **Response to Request for Production No. 60:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
6 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
7 order and E-discovery protocol.

8
9 **Request for Production No. 61:**

10 All DOCUMENTS memorializing the revenue YOU received in 2018 for the manufacture of
11 parts for the Harvey Project.

12
13 **Response to Request for Production No. 61:**

14 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
15 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
16 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
17 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
18 objected to since they appear to require responses from Responding Party that are protected by work
19 product and attorney-client privilege.

20
21 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
22 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
23 reasonably calculated to lead to the discovery of admissible evidence.

24
25 Responding Party objects to this request on the ground that it seeks Responding Party and
26 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
27 disclosure of which would unduly and improperly invade its protected rights. Responding Party
28

1 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
2 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
3 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
4 confidentiality of such information.

5 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
6 and unduly burdensome.

7 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
8 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
9 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
10 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
11 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
12 the propounded discovery is proper in scope or not.

13 Without waiving any objections, Responding Party responds: Any responsive and non-
14 privileged documents will be produced on a rolling basis, subject to the protective order and E-
15 discovery protocol.

16 **Request for Production No. 62:**

17 All DOCUMENTS memorializing the revenue YOU received in 2018 for the manufacture of
18 parts for the A50 project.

19 **Response to Request for Production No. 62:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Any responsive and non-
25 privileged documents will be produced on a rolling basis, subject to the protective order and E-
26 discovery protocol.

27 **Request for Production No. 63:**

1 All DOCUMENTS memorializing the revenue YOU received in 2018 for the manufacture of
2 parts for the A65 project.

3
4 **Response to Request for Production No. 63:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Any responsive and non-
6 privileged documents will be produced on a rolling basis, subject to the protective order and E-
7 discovery protocol.
8

9 **Request for Production No. 64:**

10 All DOCUMENTS memorializing the tooling design for the Folgers project.
11

12 **Response to Request for Production No. 64:**

13 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
14 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
15 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
16 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
17 objected to since they appear to require responses from Responding Party that are protected by work
18 product and attorney-client privilege.
19

20 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
21 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
22 reasonably calculated to lead to the discovery of admissible evidence.
23

24 Responding Party objects to this request on the ground that it seeks Responding Party and
25 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
26 disclosure of which would unduly and improperly invade its protected rights. Responding Party
27 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
28

1 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
2 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
3 confidentiality of such information.

4 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
5 and unduly burdensome.

6
7 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
8 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
9 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
10 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
11 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
12 the propounded discovery is proper in scope or not.

13
14 Without waiving any objections, Responding Party responds: Any responsive and non-
15 privileged documents will be produced on a rolling basis, subject to the protective order and E-
16 discovery protocol.

17 **Request for Production No. 65:**

18
19 All DOCUMENTS sufficient to show each DEFENDANTS' corporate structure, including
20 ownership, the names, titles, responsibilities, and geographic locations of every past and present
21 employee, officer, agent, representative, attorney, investigator, and anyone else acting on
22 DEFENDANTS' behalf, annually from founding of the companies to present, including but not limited
23 to organizational charts.

24
25 **Response to Request for Production No. 65:**

26 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
27 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
28

1 “YOUR” as only referring to Responding Party, and not also including anyone acting with or on behalf
2 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
3 objected to since they appear to require responses from Responding Party that are protected by work
4 product and attorney-client privilege.

5 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
6 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
7 reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.

15 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23 Without waiving any objections, Responding Party responds: Responsive and non-privileged
24 documents have been produced. See ML0000001 – ML0015957. Discovery is ongoing. Any
25

responsive and non-privileged documents will be produced on a rolling basis, subject to the protective order and E-discovery protocol.

Request for Production No. 66:

DOCUMENTS sufficient to IDENTIFY DEFENDANTS' personnel involved in, or responsible for, obtaining or ensuring compliance with U.S. trademark laws, including but not limited to, filing applications and responding to office actions with the United States Patent and Trademark office, annually from January 2015 to present.

Response to Request for Production No. 66:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.

11 Without waiving any objections, Responding Party responds: Discovery is ongoing. Any
12 responsive and non-privileged documents will be produced on a rolling basis, subject to the protective
13 order and E-discovery protocol.
14
15
16

17 **Request for Production No. 67:**

18 DOCUMENTS sufficient to show all uses of the SinCo mark by YOU in the United States,
19 from January 2010 to present.
20

21 **Response to Request for Production No. 67:**

22 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
23 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
24 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
25 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
26
27
28

1 objected to since they appear to require responses from Responding Party that are protected by work
2 product and attorney-client privilege.

3 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
4 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
5 reasonably calculated to lead to the discovery of admissible evidence.

6
7 Responding Party objects to this request on the ground that it seeks Responding Party and
8 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
9 disclosure of which would unduly and improperly invade its protected rights. Responding Party
10 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
11 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
12 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
13 confidentiality of such information.

14
15 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
16 and unduly burdensome.

17 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
18 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
19 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
20 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
21 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
22 the propounded discovery is proper in scope or not.

23
24 Without waiving any objections, Responding Party responds: Responsive and non-privileged
25 documents have been produced. See NG00000001 – NG00004091; ML00000001 – ML0015957.
26 Discovery is ongoing. Any responsive and non-privileged documents will be produced on a rolling
27 basis, subject to the protective order and E-discovery protocol.

Request for Production No. 68:

DOCUMENTS sufficient to show YOUR total revenue (in U.S. dollars) on a yearly basis since 2010:

- (a) worldwide; and
- (b) from the United States.

Response to Request for Production No. 68:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

1 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
2 and unduly burdensome.

3 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
4 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
5 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
6 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
7 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
8 the propounded discovery is proper in scope or not.
9

10 Without waiving any objections, Responding Party responds: Responding Party cannot comply
11 with request sub part (a) on the ground that it is overbroad, burdensome, irrelevant, and contains
12 confidential information. Any responsive and non-privileged documents will be produced on a rolling
13 basis, subject to the protective order and E-discovery protocol.
14

15 **Request for Production No. 69:**

16 DOCUMENTS sufficient to IDENTIFY all United States customers that YOU have done work
17 for in the last ten years.
18

19 **Response to Request for Production No. 69:**

20 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
21 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
22 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
23 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
24 objected to since they appear to require responses from Responding Party that are protected by work
25 product and attorney-client privilege.
26
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28

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.

11
12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.

14
15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.

21
22 Without waiving any objections, Responding Party responds: Any responsive and non-
23 privileged documents will be produced on a rolling basis, subject to the protective order and E-
24 discovery protocol.

25
26 **Request for Production No. 70:**
27
28

1 All DOCUMENTS RELATING TO interactions, negotiations, payments, attempted payments,
2 or any communications or correspondence between YOU and a United States customer, from January
3 2010 to present.

4
5 **Response to Request for Production No. 70:**

6 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
7 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
8 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
9 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
10 objected to since they appear to require responses from Responding Party that are protected by work
11 product and attorney-client privilege.

12
13 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
14 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
15 reasonably calculated to lead to the discovery of admissible evidence.

16 Responding Party objects to this request on the ground that it seeks Responding Party and
17 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
18 disclosure of which would unduly and improperly invade its protected rights. Responding Party
19 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
20 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
21 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
22 confidentiality of such information.

23
24 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
25 and unduly burdensome.

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.
7

8 Without waiving any objections, Responding Party responds: Any responsive and non-
9 privileged documents will be produced on a rolling basis, subject to the protective order and E-
10 discovery protocol.

11 **Request for Production No. 71:**
12

13 All DOCUMENTS created in the last ten years consisting of (a) annual or quarterly financial
14 reports, profit and loss statements, and statements for any operations, departments or divisions related
15 to YOUR manufacturing business; (b) business plans, budgets or strategic plans regarding YOUR
16 manufacturing business; (c) annual, monthly, or periodical reports about the operation (including,
17 without limitation, revenue, number of users, expenses, gross or net profit or loss) regarding YOUR
18 manufacturing business.
19

20 **Response to Request for Production No. 71:**

21 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
22 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
23 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
24 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
25 objected to since they appear to require responses from Responding Party that are protected by work
26 product and attorney-client privilege.
27
28

1 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
2 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
3 reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects to this request on the ground that it seeks Responding Party and
5 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
6 disclosure of which would unduly and improperly invade its protected rights. Responding Party
7 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
8 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
9 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
10 confidentiality of such information.
11

12 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
13 and unduly burdensome.
14

15 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
16 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
17 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
18 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
19 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
20 the propounded discovery is proper in scope or not.
21

22 Without waiving any objections, Responding Party responds: Any responsive and non-
23 privileged documents will be produced on a rolling basis, subject to the protective order and E-
24 discovery protocol.

25 **Request for Production No. 72:**
26
27
28

1 DOCUMENTS sufficient to show the location of any and all computer servers on which YOU
2 host, store, or maintain COMMUNICATIONS with United States customers.

3
4 **Response to Request for Production No. 72:**

5 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
6 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
7 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
8 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
9 objected to since they appear to require responses from Responding Party that are protected by work
10 product and attorney-client privilege.

11
12 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
13 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to this request on the ground that it seeks Responding Party and
16 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
17 disclosure of which would unduly and improperly invade its protected rights. Responding Party
18 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
19 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
20 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
21 confidentiality of such information.

22
23 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
24 and unduly burdensome.

25 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
26 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
27

1 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
2 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
3 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
4 the propounded discovery is proper in scope or not.

5 Without waiving any objections, Responding Party responds: Any responsive and non-
6 privileged documents will be produced on a rolling basis, subject to the protective order and E-
7 discovery protocol.

8
9 **Request for Production No. 73:**

10 Indemnification agreements with any of YOUR employees that have, or may in the future,
11 travel to the United States to meet with YOUR customers.

12
13 **Response to Request for Production No. 73:**

14 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
15 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
16 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
17 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
18 objected to since they appear to require responses from Responding Party that are protected by work
19 product and attorney-client privilege.

20
21 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
22 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
23 reasonably calculated to lead to the discovery of admissible evidence.

24
25 Responding Party objects to this request on the ground that it seeks Responding Party and
26 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
27 disclosure of which would unduly and improperly invade its protected rights. Responding Party
28

1 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
2 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
3 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
4 confidentiality of such information.

5 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
6 and unduly burdensome.

7
8 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
9 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
10 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
11 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
12 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
13 the propounded discovery is proper in scope or not.

14
15 Without waiving any objections, Responding Party responds: Any responsive and non-
16 privileged documents will be produced on a rolling basis, subject to the protective order and E-
17 discovery protocol.

18 **Request for Production No. 74:**

19
20 DOCUMENTS sufficient to IDENTIFY all of the DEFENDANTS' offices and personnel
21 located in the United States, and the time periods in which those offices and personnel were or have
22 been maintained in the United States.

23
24 **Response to Request for Production No. 74:**

25 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
26 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
27 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
28

1 of Responding Party. Also, given their definition, the use of these terms “YOU” and/or “YOUR” is
2 objected to since they appear to require responses from Responding Party that are protected by work
3 product and attorney-client privilege.

4 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
5 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7
8 Responding Party objects to this request on the ground that it seeks Responding Party and
9 Defendants’ proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
10 disclosure of which would unduly and improperly invade its protected rights. Responding Party
11 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
12 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties’
13 competitive or business positions or result in a breach of Responding Party’s obligation to maintain the
14 confidentiality of such information.

15
16 Responding Party objects to Plaintiff’s request to the extent that the request is hugely overbroad
17 and unduly burdensome.

18 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
19 (“CCP”) section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
20 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
21 Plaintiff’s CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
22 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
23 the propounded discovery is proper in scope or not.

24
25 Without waiving any objections, Responding Party responds: Any responsive and non-
26 privileged documents will be produced on a rolling basis, subject to the protective order and E-
27 discovery protocol.

Request for Production No. 75:

ALL DOCUMENTS RELATED TO each and every visit by YOUR employees made the United States since 2007, including but not limited to expense receipts.

Response to Request for Production No. 75:

Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is objected to since they appear to require responses from Responding Party that are protected by work product and attorney-client privilege.

Responding Party object to this request on the ground that Plaintiffs seek the discovery of information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the ground that it seeks Responding Party and Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which would unduly and improperly invade its protected rights. Responding Party similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial, trade secret, or commercially-sensitive information, the disclosure of which could harm third parties' competitive or business positions or result in a breach of Responding Party's obligation to maintain the confidentiality of such information.

Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad and unduly burdensome.

1 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
2 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
3 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
4 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
5 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
6 the propounded discovery is proper in scope or not.
7

8 Without waiving any objections, Responding Party responds: Any responsive and non-
9 privileged documents will be produced on a rolling basis, subject to the protective order and E-
10 discovery protocol.

11 **Request for Production No. 76:**
12

13 All DOCUMENTS RELATED TO YOUR Board of Directors meetings, including but not
14 limited to meeting minutes.

15 **Response to Request for Production No. 76:**
16

17 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
18 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
19 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
20 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
21 objected to since they appear to require responses from Responding Party that are protected by work
22 product and attorney-client privilege.
23

24 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
25 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
26 reasonably calculated to lead to the discovery of admissible evidence.
27
28

1 Responding Party objects to this request on the ground that it seeks Responding Party and
2 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
3 disclosure of which would unduly and improperly invade its protected rights. Responding Party
4 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
5 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
6 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
7 confidentiality of such information.
8

9 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
10 and unduly burdensome.

11 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
12 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
13 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
14 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
15 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
16 the propounded discovery is proper in scope or not.
17

18 Without waiving any objections, Responding Party responds: Any responsive and non-
19 privileged documents will be produced on a rolling basis, subject to the protective order and E-
20 discovery protocol.
21

22 **Request for Production No. 77:**

23 All DOCUMENTS that RELATE TO any COMMUNICATION or correspondence between
24 YOU and any employee of Plaintiff SinCo from January 2015 to present.
25

26 **Response to Request for Production No. 77:**
27
28

1 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
2 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
3 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
4 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
5 objected to since they appear to require responses from Responding Party that are protected by work
6 product and attorney-client privilege.

7
8 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
9 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
10 reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the ground that it seeks Responding Party and
12 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
13 disclosure of which would unduly and improperly invade its protected rights. Responding Party
14 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
15 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
16 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
17 confidentiality of such information.

18
19 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
20 and unduly burdensome.

21
22 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
23 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
24 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
25 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
26 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
27 the propounded discovery is proper in scope or not.

1 Without waiving any objections, Responding Party responds: Any responsive and non-
2 privileged documents will be produced on a rolling basis, subject to the protective order and E-
3 discovery protocol.

4 **Request for Production No. 78:**

5
6 All DOCUMENTS that evidence economic harm YOU have suffered by the alleged intentional
7 illegal acts of the Plaintiff YOU allege in paragraph 59 of the DG answer at page 28.
8
9

10 **Response to Request for Production No. 78:**

11 Responding Party objects to Propounding Party's use of "YOU" and/or "YOUR" as vague and
12 ambiguous as it is defined and used in this request. Responding Party will interpret "YOU" and/or
13 "YOUR" as only referring to Responding Party, and not also including anyone acting with or on behalf
14 of Responding Party. Also, given their definition, the use of these terms "YOU" and/or "YOUR" is
15 objected to since they appear to require responses from Responding Party that are protected by work
16 product and attorney-client privilege.
17

18 Responding Party object to this request on the ground that Plaintiffs seek the discovery of
19 information which is beyond the scope of this lawsuit, and therefore irrelevant, immaterial, and not
20 reasonably calculated to lead to the discovery of admissible evidence.
21

22 Responding Party objects to this request on the ground that it seeks Responding Party and
23 Defendants' proprietary, confidential, financial, trade secret, or commercially-sensitive information, the
24 disclosure of which would unduly and improperly invade its protected rights. Responding Party
25 similarly objects to this Request on the ground it seeks third-party proprietary, confidential, financial,
26 trade secret, or commercially-sensitive information, the disclosure of which could harm third parties'
27
28

1 competitive or business positions or result in a breach of Responding Party's obligation to maintain the
2 confidentiality of such information.

3 Responding Party objects to Plaintiff's request to the extent that the request is hugely overbroad
4 and unduly burdensome.

5 Responding Party objects that Plaintiff has not filed a California Code of Civil Procedure
6 ("CCP") section §2019.210 disclosure in this Court setting forth the allegedly misappropriated trade
7 secrets (obtained, or so the allegations indicate, through alleged misuse of registered marks), and
8 Plaintiff's CCP §2019.210 statement filed in the related state case lacks reasonable particularity on this
9 issue; therefore, it is impossible for Responding Party to know, with any degree of certainty, whether
10 the propounded discovery is proper in scope or not.
11

12 Without waiving any objections, Responding Party responds: Any responsive and non-
13 privileged documents will be produced on a rolling basis, subject to the protective order and E-
14 discovery protocol.
15

16
17
18
19 Dated: March 7 , 2019

DEHENG LAW OFFICES

20
21
22 By: 

Keliang "Clay" Zhu

Yi Yao

Jeffrey L. Fazio

Attorneys for Defendant,

Xingke Electronics (Dongguan) Co., Ltd.

EXHIBIT 4

From: [Andara, Lael D.](#)
To: ["Angie Meuleman"](#)
Cc: [Sinco Technologies Pte Ltd. v. Sinco Electronics \(Dongguan\) Co. Ltd.;](#) ["Matt Warren";](#) [Douglas Winthrop;](#) [Kamras, Jeremy T.;](#) [Farris, Joseph](#)
Subject: RE: Sinco Technologies Pte Ltd. v. Sinco Electronics (Dongguan) Co. Ltd., No. 17-5517 (N.D. California)
Date: Monday, September 27, 2021 4:19:00 PM

Ms. Meuleman,

*The parties have a dispute with respect to the depositions of Google employees. Counsel for Google and the respective parties met and conferred on **September 24, 2021**, as to the Court's Order of **September 16, 2021**. Pursuant to Section 4 of the Court's Standing Order on Discovery, the parties request a conference call with the Court to discuss.*

Position of Andy Lim, Alison Chen, and Google LLC:

Mr. Lim appears on defendants' witness list and has offered to sit for deposition. Ms. Chen does not appear on any witness list and should not be required to sit for deposition. Non-party Google has already expended significant time to cooperate with plaintiffs and defendants in document production both in this matter and the state-court matter, and would prefer to minimize the distraction of any further involvement. Google offered to compromise with two two-hour depositions of Mr. Lim and Ms. Chen, if doing so would avoid burdening the Court with a dispute. Plaintiff declined, taking this offer off the table. Google and Mr. Lim will work with the parties to schedule a focused deposition, but the Court should not require Ms. Chen also to sit for deposition long after discovery has closed, when: (1) she does not appear on any party's witness list and thus will not testify at trial, and (2) plaintiff has, as it notes below, "stated that it would not subpoena either Apple or Google employees unless those individuals had agreed to testify for Defendants," which Ms. Chen has not.

SinCo's Position:

*Over the last five years of litigation, Plaintiff has sought to prevent customers from being drawn into this litigation. Drawing a customer into this litigation would be financially detrimental to Plaintiff. Plaintiff has stated that it would not subpoena either Apple or Google employees unless those individuals had agreed to testify for Defendants, as was implied in Defendants' Witness list. Andy Lim was specified in Defendant's witness list, and Ms. Chen was referenced as an "unknown Google employee." Google has not stated if it would voluntarily appear for trial, but offered a compromise for the Deposition of Andy Lim and Alison Chen to one hour each, which Plaintiff felt was insufficient given the nature of the claimed testimony in Defendants' witness list, and the personal relationship between Andy Lim and Defendant Tjoa, before Mr. Lim was employed by Google. Plaintiff has discovered that several of the witnesses listed on Defendants' witness list had not agreed to testify. As a result, Defendants' have withdrawn several witnesses from their witness list. At present, only Apple and Google are at issue as Defendants' potential witnesses, subject to a deposition before **October 7, 2021**. [ECF 479]*

Defendants' Position:

Defendants do not understand how this constitutes an "emergency" under the Court's Standing Orders. Per the Court's September 16 Order (the "Order"), Plaintiff's objections to trial testimony are preserved and, as set out above, Google offered to compromise by offering Plaintiff two depositions when Plaintiff is only entitled to one. Specifically, Defendants' Witness List and the parties' Joint Pretrial Conference Statement identifies Andy Lim as a Google employee whose testimony Defendants seek to offer at trial. Per the Court's Order, Plaintiff issued a subpoena for the deposition, by Zoom, of Mr. Lim. However, Plaintiff has also sought testimony from another

Google employee, Allison Chen, who is not on Defendants' Witness List. As stated above, Google is willing to produce Mr. Lim for deposition. However, Google objects to having to produce a second witness for deposition given that Ms. Chen is not on either party's witness list. Nonetheless, to avoid a dispute, Google offered the compromise set out above, which Plaintiff rejected. Defendants expect Mr. Lim to provide testimony on a straightforward and important topic: How any use of the name 'SinCo' did or did not influence Google's purchasing decisions and whether the use of the name 'SinCo' resulted in confusion impacting those decisions.

EXHIBIT 5

From: [Winthrop, Douglas A.](#)
To: [Andara, Lael D.](#); [Gaitan, Daniel](#)
Cc: [Farris, Joseph](#); [Kamras, Jeremy T.](#)
Subject: Dispute regarding Sunday and Monday depositions of Google witnesses
Date: Friday, October 1, 2021 7:42:11 AM

Lael/Daniel -- Please see the below email to the Court regarding the time allocation for the Google depositions. Given that the first one is scheduled for Sunday, please let me have your insert as soon as possible. We will wait until Noon PDT to send to the Court. Thank you.

Doug

Douglas Winthrop
Arnold & Porter

Office: (415) 471-3174
Cell: (415) 298-5279

Dear Ms. Ms. Meuleman:

The parties have a further dispute with respect to the depositions of the two Google employees that were the subject of the Court's Minute Order entered on Monday, September 27. Pursuant to the Court's Standing Order on Discovery, the parties request a conference call with the Court.

XingKe's Position

The Court ordered two-hour depositions of two Google employees, Andy Lim and Allison Chen. Mr. Lim's deposition is scheduled for

Sunday. Ms. Chen's deposition is scheduled for Monday. FRCP 30(c)(1) provides that "[t]he examination and cross-examination of a deponent proceed as they would at trial under the Federal Rules of Evidence, except Rules 103 and 615," such that all parties have an opportunity to examine the witness. Nonetheless, yesterday, counsel for Plaintiff stated his position that the entire two-hours of each deposition would be for Plaintiff, and that counsel for Defendants would need to secure additional time from Google, beyond the two hours ordered by the Court, in order to conduct any cross-examination or redirect. Google has declined to provide additional time. Both the rules and due process require that all parties are offered an opportunity to question a witness. Defendants have offered to share the two hours 75%/25% in favor of Plaintiff, and have advised Plaintiff that, depending on the questions asked and answers given, the need for follow up and/or clarifying questioning by Defendants might take even less time than the half hour allocation requested. Plaintiff would not agree to share any of the two hours. Defendants request that the Court order that Defendants are to be allotted 30 minutes of the two hours of questioning in each of the Google witness depositions.

SinCo.'s Position

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